

Faculty Senate Minutes #219

John Jay College of Criminal Justice

October 24, 2001

3:15 PM

Room 630 T

Present (29): Yahya Affinnih, Orlanda Brugnola, James Cauthen, Leslie Chandrakantha, Edward Davenport, Kirk Dombrowski, P. J. Gibson, Betsy Gitter, Amy Green, Maki Haberfeld, Ann Huse, Karen Kaplowitz, Kwando Kinshasa, Gavin Lewis, Tom Litwack, Peter Mameli, Evan Mandery, Lorraine Moller, Jill Norgren, Daniel Paget, Dagoberto Orrantia, Rick Richardson, Jodie Roure, Ellen Sexton, Carmen Solis, Margaret Wallace, Robin Whitney, Susan Will, Liza Yukins

Absent (9): Luis Barrios, Elsie Chandler, Jane Davenport, Edward Green, Sandra Lanzone, James Malone, Mary Ann McClure, Davidson Umeh, Agnes Wieschenberg

October 24, 2001 meeting agenda

1. Announcements from the chair
2. Adoption of Minutes #218 of the October 11, 2001, meeting
3. Report on the October 17 College Council meeting
4. Report on post-September 11 efforts to help students continue in school and pass their courses
5. Follow-up the Faculty Senate's resolution on computer use and privacy
6. John Jay's B&N Bookstore
7. Senate action to fill an empty faculty seat on the College Council
8. Report on the CUNY Central Budget Office draft of an allocation model for the senior colleges: Professor Tom Litwack and Pres. K. Kaplowitz
9. CUNY and John Jay budget situation report: Professor Tom Litwack and Pres. Kaplowitz
10. New business

1. Announcements from the chair

Two newly elected senators were welcomed: Professors Tom Litwack and Jill Norgren have been elected in a special election to fill two empty Senate at-large seats. Both were congratulated and welcomed on their return to the Senate: both have long served on the Senate in previous years.

At its October 22 meeting, the CUNY Board of Trustees approved the four individuals nominated to receive an honorary degree at John Jay's May 2002 commencement: Susan

Brownmiller, Kay Redfield Jamison, James C. McCloskey, and Jessye Norman: the Faculty Senate voted to recommend these four individuals at its May 4, 2001, meeting (Minutes #214) and President Lynch supported the nomination of all four as did Chancellor Goldstein. Just this week, the MacArthur Foundation named one of the individuals, Dr. Kay Redfield Jamison, as a recipient of its prestigious MacArthur Award. Now we are waiting to have the four invited and, also, to learn if all four are available to attend John Jay's May 2002 commencement, as required by the CUNY Board of Trustees, in order to receive their honorary degrees.

Nominations of honorary degree candidates to be awarded at the May 2003 John Jay commencement are due by December 14 to the Committee on Honorary Degrees, which will then recommend candidates for the Faculty Senate's consideration in Spring 2002.

2. Adoption of Minutes #218 of the October 11, 2001, meeting

By a motion made and carried, Minutes #218 of the October 11, 2001, meeting were approved.

3. Report on the October 17 College Council meeting

The College Council approved the Faculty Senate's motion to endorse the statement supporting academic freedom which Board of Trustees Acting Chair Benno Schmidt had made at the September 24 Board meeting. The Council also voted to change the dates of the May meetings of the Council's executive committee and agenda deadline to accommodate committee schedules: those new dates are still to be set. The prerequisite for Forensic Psychology 754 was revised and the second paragraph, #2, on page 12 of the Graduate Bulletin for 2000-2002 was deleted.

4. Report on post-September 11 efforts to help students continue in school and pass their courses

A letter drafted by Dean Saulnier, Provost Wilson, Dean Levine and Professor Kaplowitz about ways faculty, in the aftermath of the events of September 11, can assist students and about the meanings of various College policies has been sent to the faculty. The additional issues raised at the Senate's October 11 meeting were also incorporated in the letter: remedial course attendance policies may be amended at the instructor's discretion this semester and the date for resolving incomplete grades may be as long as a year after the course was taken, at the instructor's discretion.

5. Follow-up the Faculty Senate's resolution on computer use and privacy

As the Faculty Senate had agreed, President Kaplowitz consulted with Provost Basil Wilson about the Senate's Resolution on monitoring of computer use and she reported that Provost Wilson said he supports the Resolution and expressed his gratitude to the Senate Technology Committee and to the Faculty Senate for analyzing the issue so thoroughly and for developing an excellent

Resolution [for the text of the Resolution, see Attachment C of Minutes #218 of the October 11, 2001, Faculty Senate meeting]. Provost Wilson said he supports the Resolution's placement on the College Council agenda and will support the Resolution at the Council. She reported that she then consulted with Associate Provost Lawrence Kobilinsky and also with Graduate Studies Dean James Levine, both of whom expressed the same support and appreciation. She has, therefore, submitted the Resolution for placement on the agenda of the November 21 meeting of the College Council.

6. John Jay's B&N Bookstore

Three members of the Senate's Executive Committee, Edward Davenport, Kirk Dombrowski, and Karen Kaplowitz, met with Provost Wilson and Vice President Witherspoon on October 18 about the B&N Bookstore. This meeting was prompted by a letter which President Kaplowitz had written last month, at the direction of the Faculty Senate, to Vice President Witherspoon asking for a meeting between the Auxiliary Services Corporation (ASC) and the Senate's Executive Committee about B&N. Vice President Witherspoon had responded that he is not the chair of the ASC.

She reviewed to the Senate the fact that a letter she had written in May addressed to the entire ASC on behalf of the Senate had been responded to by Vice President Pignatello, who had suggested a meeting during the summer between himself, the new bookstore manager, and the Senate Executive Committee. Because that meeting was never scheduled, President Kaplowitz added, she decided to meet with the new manager and did so twice at her own initiative. She called those meetings very informative and useful but the issue of the book due dates was still problematic.

In response to the September 18 letter addressed to him, Vice President Witherspoon had asked the purpose of the Senate's requested meeting with the ASC and President Kaplowitz had explained that she had read the contract between John Jay College and B&N and learned that the contract states that the date for faculty to hand in their book orders is to be set by the bookstore in consultation with the ASC and since the book order due dates have in recent years been extremely early, seemingly arbitrarily so, a meeting with the ASC is being requested to discuss those dates.

Vice President Witherspoon said that the ASC meets very infrequently, that there is no meeting schedule, and that to his knowledge the book order due dates have never been discussed by the ASC. And so a meeting was set up between Provost Wilson, Vice President Witherspoon, and those members of the Senate's Executive Committee who were available on October 18: Edward Davenport, Kirk Dombrowski, and herself.

At the meeting, Vice President Witherspoon commented on the Senate's Minutes from last May, when Senator Betsy Gitter had recommended that the Senate should poll other CUNY B&N bookstores to ascertain their book order due dates. Vice President Witherspoon said that upon reading those Minutes he had talked to the new John Jay B&N manager who, according to Vice President Witherspoon, said that John Jay's Bookstore has the latest book order deadline of all the CUNY bookstores. The results of the poll that Senator Gitter conducted in the interim was reported to the two administrators at the October 18 meeting. Senator Gitter was invited to report the results of her poll directly to the Senate.

Senator Betsy Gitter said the results of her poll and the experience in ascertaining the

information was interesting. She explained that earlier in the month she telephoned a number of CUNY colleges, presenting herself as a newly hired adjunct faculty member who wished to know the deadline for her book orders for next semester. There was a whole range of responses, Hunter's being the most polite and responsive, with the store manager repeating the term "deadline" in a bewildered and questioning tone and saying that there is no such thing as a deadline. The Hunter manager then added that he would welcome book orders as early as possible but that mid-December would be just fine and that, in fact, seven (7) days before classes begin would be sufficient!

When the Hunter store manager asked her name, Senator Gitter said that she replied that "it doesn't matter" because she's "just a new adjunct" to which the manager said, to her pleasant surprise, that every faculty member matters. The other extreme is City College which has the same due date, as John Jay, that of October 31, and the person she spoke with was incredibly surly. The range included New York City Technical College, which has a deadline slightly earlier than ours – October 18 – because, as was explained very courteously to her, 80 percent of NYCTC's courses are repeated from semester to semester, and, thus, the bookstore doesn't like to return unsold books only to have to re-order them shortly later and so they have an early deadline.

Brooklyn said they would like the book orders by early November but that no one at Brooklyn hands in their orders by that date, which is alright as far as the bookstore is concerned. Queens College said it requests book orders by November 15 but has no deadline for book orders. Baruch also requests orders by November 15. She said that a number of the bookstore managers could not seem to grasp the concept of a "deadline" for book orders. At the same time City College did have a deadline and told her, with great severity, that she had better get her book order in on time. So obviously this is at the discretion of the manager with most not understanding or working with the concept of a "deadline" and there is quite a range in due or requested dates and John Jay's date is far from the "latest."

President Kaplowitz said that when she reported Senator Gitter's polling results at the October 18 meeting, Vice President Witherspoon was clearly very surprised by the information. Provost Wilson made the important point that there is no employees at the College – no one who is on the John Jay College payroll – who is accountable for the bookstore and, therefore, there is no one who is the point person to turn to when there are problems or issues to resolve.

Provost Wilson suggested that the administration should assign to someone that responsibility as part of the person's portfolio. President Kaplowitz said she agreed, noting that whoever she calls or writes to at the College responds by explaining that the bookstore is not their responsibility and is usually unable to answer questions or provide assistance. Provost Wilson had said he would work on identifying such a person, to whom faculty could turn and to whom the bookstore manager could turn. To date, as far as she knows, no one has been identified for this role.

Senator Gitter suggested that if no administrator is found who is willing and able to take on the job, perhaps a faculty member could be given reassigned time to do so, at least until issues are resolved and the situation is straightened out. Senator Edward Davenport supported that suggestion.

Senator Kirk Dombrowski said his sense of the meeting is that the two vice presidents really want to improve the situation, especially the Provost. Senator Edward Davenport agreed. Senator Dombrowski added that the consensus of those at the meeting was that we should all work to help the new manager learn about John Jay, its programs, its departments, its curriculum, so she can do as good a job as possible for all of our sakes.

7. Senate action to fill an empty faculty seat on the College Council

The Senate unanimously voted to authorize the Executive Committee to ascertain whether any Senate at-large representative not currently serving on the College Council is available to serve on the College Council this year to fill the seat left empty by the resignation of Professor Laura Richardson from John Jay College and that, should no one be available, to then request the Department of Law, Police Science, and CJ Administration (the next largest department according to the criterion set by the John Jay Charter) to select a second department representative to the College Council and Faculty Senate.

8. Report on the CUNY Central Budget Office draft of an allocation model for the senior colleges: Professor Tom Litwack and Pres. K. Kaplowitz [Attachment A]

Senator Tom Litwack reviewed how the CUNY draft allocation model for the senior colleges came to be produced. He explained that his analysis of the budget and of the draft allocation model will be as they existed prior to the September 11 attack on the World Trade Center because, obviously, there are implications for our budget and for the model as a result of the events of September 11.

Our Faculty Senate and our College administration have been arguing for years to the CUNY Central Administration that John Jay College is grossly underfunded compared to other senior colleges in CUNY and we presented detailed data and analyses supporting our case. One of the arguments CUNY made in response was that even though John Jay seems on the surface to be underfunded because our base budget is so much less per full-time equivalent (FTE) student than that of other CUNY senior colleges, the comparative underfunding is really because of objective factors, and our response has consistently been that the CUNY Central Administration should develop a model, an objective model for funding the senior colleges, so that we can all see what such a model shows.

A year-ago last May [May 2000], when Chancellor Matthew Goldstein came to John Jay's Senate – at our invitation – to speak with us, the Chancellor promised that CUNY would develop a model for funding the senior colleges. CUNY subsequently hired consultants to help develop a model and ultimately a model was developed, which was revised after consultation with various constituencies at CUNY, including the UFS Budget Committee. Then the CUNY Budget Office ran the numbers for each college using this draft model to see what the budget for each college should be [Attachment A]. Senator Litwack said Chancellor Goldstein deserves to be praised for keeping his promise to develop a model.

Senator Litwack explained that the data [Attachment A] show what each CUNY senior college would receive annually as its base budget if CUNY as a whole were adequately funded. Thus, if CUNY were adequately funded, according to this model, John Jay would receive \$15 million more each year than we are now allocated – that is, \$15 million more than the approximately \$40 million we now receive each year. But that assumes that CUNY or, more specifically, the senior colleges of CUNY, would receive an additional \$135 million each year which is, now, of course, certainly not going to happen.

But simple arithmetic shows that if the current senior college budget were allocated according to the model, John Jay would be allocated \$5 million more each year than we are getting now. In other words, if the current total senior college budget that CUNY now receives – that is, even if CUNY were to receive no increase in its budget at all – were allocated fairly according to CUNY's own model, John Jay would receive \$5 million more each year. Senator Litwack added that John Jay really should receive even more than an additional \$5 million each year because the proposed model contains assumptions that are unfair to John Jay. He said he will not go into such details at this time because even \$5 million more a year would still be a significant increase. So certainly, at the very least, he added, our contention that John Jay has been and is grossly underfunded has been supported by CUNY's own draft allocation model.

As most know, Senator Litwack continued, because of our underfunding but also for other reasons as well, two years ago the College overspent its budget by more than \$3 million and CUNY came down on us very hard for doing this and, in effect, told us that we had two years within which the College was required to reduce its spending – we had to eliminate that \$3 million overspending – and we had to pay CUNY back the money we overspent, although CUNY was somewhat understanding and required us to pay back, in essence, only half of the \$3 million. The College had to develop a plan for doing so. The point should be made, he emphasized, that when the College overspent its budget, it spent less than we would have received annually had we been treated fairly in the allocation process. In other words, we overspent less than we would have received had we been treated fairly in terms of the funding we receive from CUNY, which we never have been nor are we being treated fairly now.

The College did develop a plan which was approved by CUNY, Senator Litwack explained, for bringing its spending in line with our budget allocation and for repaying CUNY the money we had to pay back and the College has been successful in meeting that plan. We developed a plan for this year which would do that, plus, do some other things that the Faculty Senate requested, including adding 19 full-time substitute faculty for this coming semester, that is, the Spring 2002 semester. The budget for this year also includes \$100,000 for conducting searches for tenure-track faculty positions for next year: the Senate pushed very hard for adequate money to conduct searches. Leaving aside the destruction of the World Trade Center, the budget news would be relatively good.

Two things need to be added, he said. By means of eminent domain, the State took over the land next to T Building for the purpose of building a new building for John Jay, and there is still property on that land, including a parking lot, which generates revenue which now goes to CUNY. Last year Vice President Pignatello came up with the idea of asking CUNY to let John Jay keep half of the net revenues generated by those properties. The Faculty Senate very strongly supported that request, both in a formal Resolution of the Senate to CUNY and during a meeting with the Budget Director of CUNY, Ernesto Malave, when he came to our Senate in May. And, indeed, CUNY granted that request and, thus, added \$750,000 to our budget for this year, which was very much needed. For example, that is the money which will pay, among other things, the faculty salaries of the substitute full-time faculty in the Spring.

Another thing that was looking good prior to the events of September 11 was our overcollection revenues: each CUNY college is given a tuition revenue target and each college that collects tuition revenue in excess of its target gets to keep that excess money, which can be a substantial amount. Our enrollment has increased a lot, in part because we had enrolled a large number of police officers in a special Friday program, for which they received college credit. More than 600 police officers were registered for the special program this semester. And those were

additional monies that we were planning on for this year. We do not know how many of those students will continue their studies because the police have been – and continue to be – required to work 12-hour shifts every day since September 11. So at the very least, prior to the terrorist destruction of the World Trade Center, things were looking up and were looking relatively good for us and at least there seemed there would be no crisis with our budget this year. And since next year we could have expected an additional \$1.5 million, because we wouldn't have to pay back the \$1.5 million that we are paying back this year, we would have had quite a bit of money next year to hire full-time tenure-track faculty. This is where things stood without regard to the draft allocation model and to the fact that the draft model shows that we are so underfunded.

Senator Litwack added that even apart from the destruction of the World Trade Center, it is questionable how much the model would have actually benefitted us because CUNY has always taken the position that resources should not be transferred from some colleges to other colleges, a position, which he said we should strongly fight because such a position is totally unacceptable and totally irrational.

President Kaplowitz noted that although this is, indeed, the current stance of CUNY, it was not always CUNY's position: under Chancellor Reynolds, resources were, in fact, transferred from the most advantageously funded senior colleges to the most inadequately funded senior colleges. Senator Litwack said that is true, adding that after Chancellor Reynolds' administration had taken that action, CUNY adopted a modified position whereby any new resources would be distributed to more greatly benefit the most underfunded colleges and so under that position the model would have improved our position only if new resources had been received by CUNY. Of course now, because of the events of September 11, the outlook is that new resources, at best, will not be coming to CUNY. So we have to think how we can use the model to our advantage.

So to summarize, Senator Litwack said, the model does show conclusively that we are grossly underfunded compared to the other senior colleges of CUNY, except for Hunter, which according to the model is even more underfunded than John Jay, which is difficult to believe. President Kaplowitz noted that Hunter's enrollment has been growing whereas John Jay had a dip in enrollment growth, as we anticipated would happen, when we increased admission standards for both the baccalaureate and associate degree programs. She added that Mr. Malave had told us in May, when he came to the Senate, that John Jay is the most underfunded of the senior colleges except for Hunter. Senator Litwack noted that Hunter has a very large endowment and so is able to handle financial difficulties in ways that we are not able to.

Senator James Cauthen asked whether the model was intended to be implemented only when CUNY is properly funded, in other words, only at such a time that CUNY is receiving \$135 million more a year in funding. President Kaplowitz said that at a meeting of the UFS Budget Committee in September, prior to September 11, both Vice Chancellor for Budget Sherry Brabham and Budget Director Ernesto Malave called this draft model a work in progress but said that when all the numbers are checked and refined, the model would be slowly implemented, in an incremental manner.

VC Brabham called the draft allocation model a public document that can be shared with everyone, President Kaplowitz noted. However, she added, at the most recent meeting of the UFS Budget Committee, a few days ago, on October 19, there was no discussion about the model at all because the discussion was entirely on the negative economic consequences of the attack on the World Trade Center.

9. CUNY and John Jay budget situation report: Professor Tom Litwack and Pres. Kaplowitz
[Attachment B]

President Kaplowitz reported on the current state of CUNY's budget, which was the topic of the UFS Budget Committee's most recent meeting, on October 19 [Attachment B]. The draft model [Attachment A] was not discussed at all at that meeting, because the post-September 11 situation has so dramatically changed the focus and the reality. She recalled that the NYS Legislature passed a bare-bones budget with the intention of passing a supplemental budget later. The bare-bones budget was a calculated political move to bring the Governor to the table.

A Legislative session had been set for September 12 to pass a supplemental budget. But when the NYS Legislature met on September 12, a supplemental budget was off the table and, instead, the Legislature allocated \$.5 billion to the City's rescue and recovery effort. No supplemental budget was passed for anyone: not for K-12, not for health, housing, much less for CUNY. The latest news, as of last night, is that the Legislature will be meeting again, next week, to pass a supplemental budget, but the likelihood is that if the Legislature does do so, CUNY will not be included other than possibly for childcare and SEEK. But whatever the Legislature does for SUNY they have to do for CUNY and many upstate legislators care about SUNY because there is one campus of SUNY in every one of the 64 legislative districts in NYS and in many of those districts that SUNY campus is the main employer. So there is a built-in support system for SUNY. And the Legislature will not do anything for one State public higher education institution without doing the same for the other. So there is some hope.

In the meantime, of course, the destruction of the World Trade Center has contributed to a tremendous economic decline. Governor Pataki is estimating a \$9 billion shortfall. The NYS \$3 billion reserve fund, which is helping us this year, will be depleted by the end of this fiscal year.

President Kaplowitz reported that the City is requiring CUNY to set aside 15% of the City's contribution to the community college budget in a reserve fund which CUNY can not touch without the City's permission. In this way, the City is saying it is not violating NYS law requiring the City to contribute at least the same amount to CUNY as it did the previous year, which is known as the Maintenance of Effort law. This 15% of the City's contribution is \$19.2 million but because this is not the beginning of the fiscal year, when annualized – that is, when calculated or adjusted to reflect a cut based on a full fiscal year – that reduction is much larger, about \$25 million. Also the City is declining to fund the \$5.1 million annual salary increment for CUNY employees covered by the DC 37 contract which the City has just signed. Also, BMCC's enrollment may decline because it is near Ground Zero and has been closed until just the other day and the resulting tuition revenue loss would lead to a reduction in the State's funding of CUNY next year.

In the meantime, the Chancellor on October 19 sent a letter to the senior college presidents instructing them to transmit by October 25 – tomorrow – an impact statement for a 1% cut, a 1.5% cut, and a 2% cut. The dollar amounts for John Jay are: \$400,000; \$600,000; and \$800,000. A cut may not have to be imposed at all. As of yesterday, Provost Wilson told the Council of Chairs that the searches for full-time tenure-track faculty for the fall are to proceed "full-steam ahead," in his words and is allocating \$2,000 for travel and hotel expenses for the search for each faculty position.

Senator Litwack noted that even if we had to make the maximum proposed cut of 2%, no layoffs of anyone would be required in order to make that cut because the \$750,000 we would use to

hire 19 additional substitute faculty in the Spring could be used instead to make the cut, if we had to. The searches for the tenure-track faculty for the next academic year would still continue; they would not be affected if there were a cut in this year's budget. But there is also money that would not be available for the Library, and so forth. Senator Litwack added that neither he, Karen Kaplowitz, nor Ned Benton have yet been consulted about the document that is due tomorrow so his comments are based on only his analysis of the budget numbers.

President Kaplowitz said that the budget situation is still very fluid, and the CUNY Central Administration keeps saying that there is no reason to panic at this point. The next two or three weeks are critical. The Chancellor is working tirelessly to develop creative ways to solve these budget problems for this year, such as having the salaries of CUNY personnel who work on capital projects paid for by the capital budget, which would free up several million dollars of the operating budget. The Chancellor is saying that faculty searches should continue but he is cautioning against making offers to prospective hires at this point.

But, of course, the economy is very grim and each day the outlook becomes more grim. It also hurt us tremendously that Governor Pataki went to Washington with a request for help that included money for upstate projects totally unrelated to the attack on the World Trade Center.

She added that at the CUNY Board of Trustees meeting two days earlier, on October 24, the Acting Chair of the CUNY Board of Trustees, Benno Schmidt, announced the reason the Board was going into executive session which was surprising because a reason is almost never given publicly for an executive session: Trustee Schmidt announced to the audience that the Board is going into executive session to discuss the budgetary situation and its implications for the current PSC union contract negotiations. Such an announcement is ominous especially in the context of the City's decision to not fund the contractual salary increases for CUNY DC 37 employees. She added that the City's position relates to only the DC 37 employees at the community colleges; DC 37 employees at the senior colleges are to have their salary increments covered by a pay bill that is expected to be enacted by the NYS Legislature but just when that will happen is not known.

Senator Litwack noted that if there is anything like a hiring freeze at CUNY, John Jay will be in an especially bad position because John Jay is already down 39 full-time faculty members from our already disadvantaged position. Even with our disadvantaged funding, John Jay is supposed to have 260 full-time faculty but we have only 221. If there is a hiring freeze we will not even be able to get back to our originally disadvantaged position because in order to meet that \$3 million expenditure reduction and to also pay back the \$1.5 million we were required to repay, we were unable to replace any faculty who left the College for any reason during the past two years and, in addition, we were unable to fill the new faculty lines that were given to us.

President Kaplowitz added that the detailed reports [Attachment B] which she – and other UFS Executive Committee representatives to the BoT Committees – posts to the UFS listserve are to inform not only faculty but also many other people because the UFS listserve is read by members of the print and broadcast media as well as by various trustees and legislators.

She said the CUNY Central Administration shares information, including information the faculty sometimes doesn't know to request. This is so because they believe in consultation and also because people such as Ned Benton and other UFS Budget Committee members provide ideas and perspectives that are clearly important to them. Also, each committee of the Board of Trustees has a faculty member and these faculty are fully briefed, as is she in her capacity as the faculty member on

both the Fiscal Committee and the Facilities Committee. Right now, for example, the faculty trustee, Professor Bernard Sohmer, the chair of the UFS, is polling the chairs of faculty governance at the CUNY colleges to ascertain whether consultation took place with elected faculty governance groups on the budget request document: the presidents were explicitly informed by the Chancellor, in his budget request letter of October 5 to them, that they must engage in consultation. That information is reported to the Trustees and to the Chancellery. Unfortunately, the answer for John Jay is no.

Senator Litwack added that he thinks the Senate should consider thanking the Chancellor for at least significantly moving toward fulfilling his promise to develop an objective allocation model. He offered to draft a letter which would include, as an aside, that even when John Jay allegedly overspent its budget, it spent less than we are underfunded, according to CUNY's provisional allocation model. Senator Kirk Dombrowski questioned whether this is the appropriate time for such a letter since the model is completely off 80th Street's radar, from what has been reported to us. Senator Litwack suggested that he, Karen, and Ned Benton consult about this and, based on their discussions, he would either bring this suggestion back to the Senate at the next meeting or defer it to a later time. This course of action was agreed to.

10. New business

Last week, on October 18, prior to the meeting about B&N, Senators Edward Davenport, Kirk Dombrowski, and Karen Kaplowitz met with Provost Wilson about the chalk situation at the College, about the fact that academic departments, including the department secretary and department chair, are no longer permitted to obtain chalk from the College stockroom but that, instead, only Building & Grounds (B&G) staff have access to chalk, which they are to put in each classroom once a day at 7 AM each morning. This situation has resulted in faculty who teach later in the day not having a way of obtaining chalk if none happens to be in their classroom when they arrive at the classroom to teach. Provost Wilson communicated his familiarity with the problem and said he has been trying to resolve it. The new system is not in response to budgetary problems nor to perceptions of wasteful use of chalk but is rather a matter of managerial style and philosophy. The Senate asked President Kaplowitz to convey to the VP for Administration a request that the College return to the longstanding and prior procedure whereby each department secretary may obtain a supply of chalk for each department's faculty members.

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

Respectfully submitted,

Edward Davenport
Recording Secretary

&
James Cauthen
Associate Recording Secretary

&
Amy Green
Vice President

Totals

College	Faculty Salary	Support Cost	Faculty plus Support Cost	Research (10 % Factor)	Maintenance & Operation of Physical Plant	Academic Support (16% of Inst.)	Student Services	Institutional Support	Graduate Center Adjustment	TOTAL
Baruch	45,807,001	12,486,106	58,293,107	187,806	9,883,330	9,626,897	7,615,650	13,878,883	318,794	99,804,461
Brooklyn	35,333,755	10,261,603	45,595,358	1,090,043	8,834,908	7,595,257	7,474,050	11,926,650	140,316	82,656,581
City	27,700,179	8,624,132	36,324,311	2,771,908	11,426,684	6,111,890	6,421,250	10,947,286	2,042,807	76,046,131
Hunter	52,867,608	15,878,408	68,746,016	2,248,032	9,544,019	11,299,363	9,610,550	15,938,237	1,298,950	118,685,161
John-Jay	25,250,959	7,098,761	32,349,720	631,550	3,827,931	5,475,955	5,552,450	8,860,769	147,202	56,845,571
Lehman	21,926,758	6,654,099	28,580,856	677,153	6,465,632	4,872,937	4,919,800	8,442,948	224,914	54,184,241
Medgar-Evers	10,599,305	3,115,457	13,714,762	659,780	2,886,022	2,494,362	2,963,300	4,339,281	0	27,057,501
NYC-Tech	25,630,030	7,474,954	33,104,985	742,663	4,480,352	5,596,798	6,046,700	9,246,295	0	59,217,791
Queens	40,686,936	11,738,147	52,425,082	996,137	8,973,694	8,688,013	7,759,400	12,999,580	531,175	92,373,681
Staten-Island	26,428,066	7,892,529	34,320,594	591,852	9,875,050	5,791,295	5,717,600	10,068,531	0	66,364,921
York	12,687,483	3,688,046	16,375,529	501,006	5,214,552	2,920,085	3,147,900	5,318,633	0	33,477,701
Sum	324,918,079	94,912,242	419,830,321	11,098,530.05	81,412,173.45	70,472,851	67,228,650	111,967,093	4,704,157	766,713,771
Graduate Center	29,008,173	8,911,401	37,919,574	998,933	3,642,855	6,367,132	1,566,117	9,250,000	-4,704,157	55,040,451
Column / FTE Peers* > > >			4,802	126.9		806	769	1,281		
Percent of Peers			3827	81		796	740	1213		
			125.48%	156.73%		101.27%	103.92%	105.58%		

Summation of faculty salaries over all codes, adjusted for level

Summation of support cost 25% of faculty cost

Summation of faculty salaries and support cost

Summation of research dollars at a factor of 10%

Cost to operate based on square footage \$4.15
Cost / Foot plus \$10,000 per acre

Flat fee of \$300,000 plus 16% of total faculty plus support cost

Base Amount \$250,000
FTE / Unit Cost \$600.00
\$350.00

18% of total expenditures for for all categories = or < \$50 million 13% for expenditures > \$50 million

For locally based costs associated w/ doctoral science programs

final model with differential salaries by level (2001 enrollment)

9/6/2001

Totals

College	- 2001 - Initial Allocation	Percentage of Needs Model	FTE Enrollment	Needs Model / FTE
Baruch	75,335,600	75.5%	11,402	8,753
Brooklyn	75,734,200	91.6%	9,351	8,839
City	73,732,300	97.0%	6,490	11,717
Hunter	83,889,000	70.7%	13,187	9,000
John-Jay	42,010,900	73.9%	7,848	7,243
Lehman	47,019,400	86.8%	5,752	9,420
Medgar-Evers	27,881,800	103.0%	3,235	8,363
NYC-Tech	49,890,700	84.2%	8,339	7,101
Queens	74,495,800	80.6%	10,189	9,066
Staten-Island	54,736,600	82.5%	7,812	8,496
York	28,733,800	85.8%	3,821	8,762
Sum	633,460,100	82.6%	87,426	8,770
Graduate Center	52,975,300 *	96.2%	2,844	19,353

Column / FTE

Peers* > > >

Percent of Peers

* The 2001 initial allocation for the Graduate School is net of \$7.2 million for student stipends due to the fact that the model does not provide funding for scholarships and fellowships.

Comparison of FY 2000 Actual Year-End Expenditures with Proposed Model
Allocation by Major Purpose

	FY 2000			
Instruction	Final	Model	Difference	% Difference
Baruch	41,127.3	58,293.1	17,165.8	41.7%
Brooklyn	41,340.1	45,595.4	4,255.3	10.3%
City	42,972.0	36,324.3	(6,647.7)	-15.5%
Hunter	49,313.7	68,746.0	19,432.3	39.4%
John Jay	25,063.7	32,349.7	7,286.0	29.1%
Lehman	26,804.3	28,580.9	1,776.6	6.6%
Medgar Evers	14,267.4	13,714.8	(552.6)	-3.9%
NYCTC	27,607.6	33,105.0	5,497.4	19.9%
Queens	45,088.8	52,425.1	7,336.3	16.3%
CSI	28,800.2	34,320.6	5,520.4	19.2%
York	14,553.2	16,375.5	1,822.3	12.5%
Graduate	35,102.9	37,919.6	2,816.7	8.0%
Total Senior	392,041.2	457,750.0	65,708.8	16.8%

	FY 2000			
Research	Final	Model	Difference	% Difference
Baruch	65.4	187.8	122.4	187.2%
Brooklyn	749.6	1,090.0	340.4	45.4%
City	652.7	2,771.9	2,119.2	324.7%
Hunter	815.2	2,248.0	1,432.8	175.8%
John Jay	165.5	631.6	466.1	281.6%
Lehman	193.9	677.2	483.3	249.3%
Medgar Evers	113.8	659.8	546.0	479.8%
NYCTC	-	742.7	742.7	
Queens	342.9	996.7	653.8	190.7%
CSI	-	591.9	591.9	
York	-	501.0	501.0	
Graduate	1,551.0	998.9	(552.1)	-35.6%
Total Senior	4,650.0	12,097.5	7,447.5	160.2%

Academic Support	Final	Model	Difference	% Difference
Baruch	3,475.6	9,626.9	6,151.3	177.0%
Brooklyn	4,515.9	7,595.3	3,079.4	68.2%
City	3,076.6	6,111.9	3,035.3	98.7%
Hunter	3,772.4	11,299.4	7,527.0	199.5%
John Jay	1,587.8	5,476.0	3,888.2	244.9%
Lehman	2,297.7	4,872.9	2,575.2	112.1%
Medgar Evers	956.5	2,494.4	1,537.9	160.8%
NYCTC	2,628.8	5,596.8	2,968.0	112.9%
Queens	3,057.8	8,688.0	5,630.2	184.1%
CSI	1,958.7	5,791.3	3,832.6	195.7%
York	1,416.9	2,920.1	1,503.2	106.1%
Graduate	1,986.7	6,367.1	4,380.4	220.5%
Total Senior	30,731.4	76,840.1	46,108.7	150.0%

	FY 2000			
Student Services	Final	Model	Difference	% Difference
Baruch	4,801.4	7,615.7	2,814.3	58.6%
Brooklyn	5,066.8	7,474.1	2,407.3	47.5%
City	4,505.4	6,421.3	1,915.9	42.5%
Hunter	6,250.8	9,610.6	3,359.8	53.7%
John Jay	5,148.4	5,552.5	404.1	7.8%
Lehman	4,095.7	4,919.8	824.1	20.1%
Medgar Evers	3,120.1	2,963.3	(156.8)	-5.0%
NYCTC	5,887.5	6,046.7	159.2	2.7%
Queens	6,313.4	7,759.4	1,446.0	22.9%
CSI	4,282.8	5,717.6	1,434.8	33.5%
York	2,640.7	3,147.9	507.2	19.2%
Graduate	2,646.6	1,566.1	(1,080.5)	-40.8%
Total Senior	54,759.6	68,795.0	14,035.4	25.6%

	FY 2000			
M&O	Final	Model	Difference	% Difference
Baruch	8,594.2	9,883.3	1,289.1	15.0%
Brooklyn	7,484.4	8,834.9	1,350.5	18.0%
City	7,719.7	11,426.7	3,707.0	48.0%
Hunter	8,953.4	9,544.0	590.6	6.6%
John Jay	3,328.6	3,827.9	499.3	15.0%
Lehman	5,819.3	6,465.6	646.3	11.1%
Medgar Evers	2,509.5	2,886.0	376.5	15.0%
NYCTC	3,896.0	4,480.0	584.0	15.0%
Queens	8,504.8	8,973.7	468.9	5.5%
CSI	8,587.0	9,875.1	1,288.1	15.0%
York	4,534.3	5,214.6	680.3	15.0%
Graduate	3,167.7	3,642.9	475.2	15.0%
Total Senior	73,098.9	85,054.6	11,955.8	16.4%

	FY 2000			
Institutional Support	Final	Model	Difference	% Difference
Baruch	13,552.4	13,415.1	(137.3)	-1.0%
Brooklyn	15,038.9	11,926.7	(3,112.2)	-20.7%
City	10,910.8	10,947.3	36.5	0.3%
Hunter	14,638.9	15,938.2	1,299.3	8.9%
John Jay	9,002.9	8,860.8	(142.1)	-1.6%
Lehman	7,758.2	8,442.9	684.7	8.8%
Medgar Evers	5,996.3	4,339.3	(1,657.0)	-27.6%
NYCTC	9,871.0	9,246.3	(624.7)	-6.3%
Queens	12,457.5	12,999.6	542.1	4.4%
CSI	9,658.4	9,694.6	36.2	0.4%
York	5,581.9	5,318.6	(263.3)	-4.7%
Graduate	7,673.1	9,250.0	1,576.9	20.6%
Total Senior	122,140.3	120,379.4	(1,760.9)	-1.4%

Source:

Year-end 2000 expenditures FAM 983 11/09/00

Budget Report – Part I

Budget Advisory Committee (BAC) of the University Faculty Senate.

Friday, October 19. 4:00 PM. 80 Street. Report provided by Karen Kaplowitz.

Present: Professors Alfred Levine (Chair), Stefan Baumrin, Ned Benton, Robert Cermele, Michael Edelstein, Karen Kaplowitz, Steve London, Cecelia McCall, Bernard Sohmer. UFS Executive Director William Phipps. CUNY Budget Director Ernesto Malave; Vice Chancellor for Buildings, Management and Facilities Emma Macari.

The information from Albany is that there is virtually no chance that the State Legislature will pass a supplemental budget. As you will recall, the Legislature had passed a bare bones budget as a way to ensure that the Governor participate more fully in the budget process since the bare bones budget does not provide adequately for education, health, and other essential services. But this gambit has seemingly backfired. The Legislature was, in fact, called back into session to pass a supplemental budget, but that Legislative session was scheduled for September 12. When the Legislature did meet on September 12, the focus was on the rescue and recovery needs resulting from the attack the previous day on the World Trade Center and, thus, the Legislature, while passing a \$0.5 billion allocation for rescue and recovery operations, did not pass a supplemental budget and it now seems virtually certain that the Legislature will not do so.

The good news is that the plan announced by the Governor for a hiring freeze is not applicable to CUNY because the freeze pertains only to State agencies and neither CUNY nor SUNY is a State agency. But the lack of a supplemental budget means that the operating budget for the CUNY senior colleges is approximately \$10 million less this year than what we need to meet expenses and it is also likely that CUNY will have to pass energy costs onto the individual colleges because the Legislature also failed to provide funding for inflationary costs for energy in its bare bone budgets: the amount of the potential energy cost increases have not yet been projected by the CUNY Budget Office. Also the bare bones budget provided CUNY with none of the needed increases for SEEK nor for Child Care.

I hope to have more information to report on October 22 about the implications of the State budget situation for the senior colleges of CUNY. [N.B. See Part III of this Budget Report.]

In the meantime, there is important information about the budget situation of the CUNY community colleges. The Mayor mandated a 15% reduction for all City agencies except for the uniform services and education, which are being assigned a 2.5% reduction. Unfortunately, the CUNY community colleges are not being included in the category of education and, thus, are being assigned the 15% reduction. This 15% nets out to a \$19.2 million reduction this fiscal year (which ends June 30) for the community colleges. This is actually about a 7% reduction of the community college budget because the reduction the Mayor is imposing is 15% of the contribution by the City to the CUNY community college budget (other revenue sources do exist for the community colleges, including State aid). But because this reduction is happening after July 1 (after FY2002 began) and many reductions will be possible only at mid-year, it will actually feel like a 15% reduction because colleges will have only six months to make most of the reductions.

The City is saying that it is not violating the maintenance of effort mandate of the State law, whereby the City must provide at least the same funding to the CUNY community colleges as it provided the previous year. The position of the City position is that it allocated to CUNY what is required by maintenance of effort and that it is not cutting 15% of its contribution. Rather, the position of the City is that it is requiring CUNY to put that \$19.2 million into a reserve fund, a

ATTACHMENT B – p. 2

reserve fund which CUNY may not touch unless the City gives its permission. The position of the City is that the establishment of this reserve fund is necessary because of the major revenue shortfalls anticipated by the City and by the State.

If the \$19.2 million reduction does ultimately have to be made, then there will probably have to be a reduction of several hundred full-time (substitute) positions and about \$5.5 million in adjunct faculty. The total cut that would be needed is estimated at 750 full-time equivalent (FTE) personnel to generate \$14 million in personnel savings and \$5 million in non-personnel savings.

Furthermore, if the community colleges have a decline this year in student enrollment, which is possible because of the events of September 11, the tuition revenue loss will further aggravate the fiscal situation. If community college enrollment does decline, then next year State aid would decline for the community colleges because State aid is calculated based on the enrollment at the community colleges during the past three years. But, also, if cuts in personnel will have to be made, then that in and of itself could cause a decline in enrollment, because if colleges are unable to provide the range of courses and the number of sections students require, the students may go elsewhere or stop out entirely. And, so, there could be a downward cascading effect.

An additional problem is that the \$19.2 million reduction does not include the \$5.1 million in salary increases resulting from the new DC 37 contract that the CUNY Board of Trustees approved at its meeting last month (on September 24). That would mean a \$24.5 million problem for the community colleges because the City is now not indicating that it will pay for the negotiated contractual increases, although the City signed off on the contract.

The community colleges this week were each asked to develop impact statements detailing what the \$19.2 million reduction would mean for each campus. The Chancellor is writing to the Director of the NYC Office of Management and Budget to ask that the City provide parity with the Board of Education by changing the reserve target for CUNY from 15% to 2.5%. Further information about the activities of the Central Administration on this situation will be reported.

The UFS and the PSC are planning lobbying activities to try to reverse the decision of the City and also to convince our elected representatives to provide the funding that CUNY needs to continue its mission of access. It is an unimaginably cruel irony that the BMCC campus was lent to the City and served as the command center for the rescue efforts for a month, and now just as BMCC classes are resuming, the City imposes a 15% reduction on the CUNY community colleges. As a member of the John Jay faculty, I need not tell you what sacrifices the students and graduates of John Jay have made and continue to make. This mistreatment of the community colleges is a mistreatment of all of CUNY. And then there is the senior college budget picture, about which I expect to be able to report more on Monday.

At the same time that efforts are under way to convince the City to change the reserve fund from 15% to 2.5%, CUNY Central continues to work on its request to FEMA (Federal Emergency Management Agency) to reimburse CUNY for the monetary losses associated with the September 11 attacks. In terms of the CUNY operating budget, that amount is between \$20 million and \$30 million for this year. (This does not include the approximately \$280 million needed to replace Fiterman Hall, which is a capital budget issue and which, furthermore, may be covered by insurance.) Vice Chancellor Emma Macari also provided a detailed report to BAC about the capital budget: this will be reported in a subsequent posting.

Budget Report: Part II – Issued October 22, 2001

UFS Budget Advisory Committee report on the community colleges:

Chancellor Matthew Goldstein has sent a letter, dated October 19, to the Director of the NYC Office of Management and Budget in which the Chancellor asks the City to provide parity for CUNY with the NYC Board of Education by changing the reserve target required of CUNY from 15% to 2.5%, noting that like the Board of Education, The City University of New York is “established in State statute” and that CUNY “community colleges are by law defined as full opportunity institutions.”

The Chancellor argues that the \$19.2 million reduction would result in a reduction of full-time and part-time faculty at the community colleges and an increase in class size in those course sections which will be offered and that the result would be the loss of more than 3,600 full-time equivalent (FTE) students from the system. Furthermore, the loss of 3,600 FTE students would result in a loss of tuition revenue of more than \$11 million, which is approximately 9% of the total collection of tuition revenue at the community colleges: thus in FY2002 (the fiscal year that ends on June 30, 2002), total resources to the community colleges could decline by more than \$30 million. Chancellor Goldstein also notes that the consequence of such an enrollment decline would result in an additional loss to the community colleges of \$9.5 million in enrollment-based State aid next year, in FY2003 (July 1, 02 to June 30, 03).

With reference to the NYS law requiring maintenance of effort by the City with regard to funding of the community colleges, the Chancellor states that he is “advised by University counsel that a budget reserve which reduces the City’s actual contribution to the University below the prior year’s contribution contravenes State law.” He concludes his letter by stating that it is for all these reasons that he is requesting that the reserve target for CUNY be reduced from 15% to 2.5%. The next two to three weeks will be telling as to whether the 15% or \$19.2 million reductions will have to be made. Within that period there will, of course, be an election of a new Mayor who, although not taking office until January 1, will be in a position to influence decisions immediately upon being elected.

The letter from the Chancellor, which is copied to the CUNY BoT, has appended an analysis of the impact of the 15% or \$19.2 million reduction to the community colleges:

1. Instruction: The Chancellor reports that the community colleges report that \$7.6 million of the \$19.2 million reduction would have to be from instructional services, through the loss of 264 full and part-time instructional staff and 100 part-time support staff at the community colleges and at the Hunter Campus Schools. The analysis is that this would result in both larger class sizes, thus diminishing the quality of the educational experience, and also in fewer course sections. This, in turn, would likely result in a reduction of student enrollment and retention. And a decline in student enrollment, in turn, would result in loss of tuition revenue of \$11.4 million and, also, a decrease in State support of \$8.2 million. In addition, a reduction of \$971,000 in OTPS (Other Than Personnel/Personal Services) would be needed, which would require deferral of technology upgrades and thus have a harmful consequence to certain courses and chances for external grants.

2. Library Services: The Library cutback is identified as \$460,000 and the loss of 29 full-time positions. The impact would be in reduced Library hours as well as a reduction in Library acquisitions.

3. Student Services: The cutback would be \$2.3 million, including the loss of 38 full-time pedagogical and support positions and 91 part-time people. A list of services negatively affected, including counseling, tutoring, registration, and so forth, is delineated.

4. Administration/Maintenance and Operations: The cut here would be \$7.2 million or 37% of the requested \$19.2 million reserve fund reduction and would include 207 full-time and full-time equivalent (FTE) part-time positions. The negative consequences to security, computing, telecommunication services, maintenance of physical plants, and so forth, are listed.

**Budget Report – Part III:
Issued October 22, 2001**

**From the Budget Advisory Committee of the University Faculty Senate:
Updated budget report on the senior college situation:**

A letter has been sent to the presidents of the CUNY senior colleges from Chancellor Matthew Goldstein directing that each senior college prepare impact statements for 1%, 1.5%, and 2% budget target reductions in their budget allocation for the current year (FY2002). The impact statements are due at 80th Street by Thursday, October 25.

These budget reduction impact statements are because of the estimated \$10 million shortfall to meet the necessary expenditures at the senior colleges this year because of the extreme unlikelihood of a supplemental budget (needed to supplement the bare bones budget passed by the State Legislature). My understanding is that the Chancellor is trying to find alternatives so that these cuts will not have to be made. The Chancellor has not directed a hiring freeze at the senior colleges but he is asking each senior college to revisit its staffing and hiring plans in light of the budget reduction impact statement request. The decision to not direct a hiring freeze, as I understand it, is because the Central Administration does not yet know whether the colleges will have to implement these reductions.

As reported two days ago, the plan announced by the Governor for a hiring freeze at all State agencies does not apply to CUNY nor to SUNY because neither is a State agency. So while the Governor can not impose a hiring freeze, he (and the State Legislature) can effectively starve the senior colleges so that a hiring freeze may be necessary.

Also, the Governor is going to introduce legislation for an Early Retirement Initiative (ERI) again this year and CUNY and SUNY will probably be included in the legislation as entities permitted to participate. But it would be up to the CUNY Board of Trustees (in our case) as to whether CUNY will participate. The statement by the Governor about the planned ERI is that the ERI legislation will permit no replacements of those who take the ERI because the goal is to reduce the State workforce by 5,000 people. CUNY will have to choose whether or not to sign on to the ERI, which is a difficult decision in light of the prohibition against replacing ERI retirees. Last year, the State had an ERI that also did not permit hiring replacements and CUNY chose to not participate in it. Several previous ERI bills did permit hiring replacements. After all, substantial money is saved if a person who earns \$80,000 annually takes ERI and the person who is hired to replace that person is hired at a salary of \$30,000. CUNY did participate in many previous ERI initiatives. The best information at this time is that the ERI would be effective this Spring.

The DC 37 contract approved by the CUNY Board of Trustees on September 24 provides for salary increases for DC 37 members employed at the senior colleges. The State is planning a pay bill for those contractual salary increases at the senior colleges (the amount for which is, I believe, about \$15 million to \$20 million) and so this is not an issue of whether the State will provide the funding but rather a question of when it will do so. (This is in contrast to the community college situation in which the City is now not indicating that it will pay the \$5.1 million salary increases resulting from the DC 37 contractual increases for DC 37 members employed at the community colleges; furthermore, the DC 37 contract includes a no-layoff pledge.)

Karen Kaplowitz, UFS Treasurer