

Faculty Senate Minute #245
John Jay College of Criminal Justice

Friday, May 9, 2003

9:30 AM

Room 630 T

Present (20): Desmond Arias, Marvie Brooks, Orlanda Brugnola, Effie Cochran, Edward Davenport, Joshua Freilich, Michele Galietta, Carol Groneman, Judith Hawkins, Karen Kaplowitz, Tom Litwack, Amie Macdonald, Evan Mandery, Lorraine Moller, Edward Paulino, Jodie Roure, Ellen Sexton, Francis Sheehan, Liliana Soto-Fernandez, Margaret Wallace

Absent (19): Yahya Affinnih, Leslie Chandrakantha, Richard Culp, Kirk Dombrowski, Janice Dunham, Amy Green, Robert Hair, Ann Huse, Max Kadir, Andrew Karmen, Kwando Kinshasa, Chris Knight, Gavin Lewis, Adam McKible, Rick Richardson, Cary Sanchez, Carmen Solis, Davidson Umeh, Robin Whitney

Guest: Professor Jerry Markowitz

Agenda of the May 9, 2003, meeting

1. Announcements from the chair
2. Adoption of Minutes #244 of the April 30, 2003, meeting
3. Election of a delegate to the University Faculty Senate
4. Discussion of the May 13 College Council agenda
5. Proposed Resolution on jointly developing proposed policies with the Council of Chairs
6. Proposed Resolution on the John Jay Foundation
7. Consideration and vote on candidates for Honorary Degrees to be given in May 2004
8. Proposed Resolution on tumin.com
9. Invited guest: CUNY Vice Chancellor for Budget and Finance Ernesto Malave
10. New business

1. Announcements from the chair [Attachment A]

The Faculty Senate/Council of Chairs Policy on Class Size and Course Cancellation, which was approved by the College Council on April 2, and which President Lynch sent to the CUNY Central Administration in the hopes that the policy would be nullified by 80th Street, is now being implemented. The CUNY Central Administration declined to take the action requested by the John Jay administration. Thus, this is now College policy. [See Attachment A of Faculty Senate Minutes #244 for a copy of the Policy.] As a result, 46 additional course sections have been added for the Fall semester to reduce class size: all 100-level sections which were to have 44 students will have 40 and some will have 38,

depending on the course. Math 100 and 103 are to be reduced from 28 to 22 students and Math 105 and 108 are to be reduced from 44 to 38 students. The reductions in the Math sections are specifically to improve students' success in these courses and, therefore, their retention and academic progress. The plan is to limit the entering freshman class to a maximum of 1,900. Because colleges have not been allocated their 2003-4 operating budget, it is difficult to plan beyond these reductions because of the unknown budget picture.

The proposed Ph.D. program in Forensic Psychology was approved by unanimous vote of the CUNY Board of Trustees Committee on Academic Policy and Program Review (CAPPR) on May 5. The proposal now goes to the full CUNY Board on May 27.

All Senators are invited to the Correctional Association fundraising production of Marsha Norman's play, *Getting Out*, on June 9th in the Theater. The Senate is a co-sponsor as is the Women's Studies Committee and so members of both groups have been extended courtesy invitations.

2. Adoption of Minutes #244 of the April 30, 2003, meeting

By a motion made and adopted, Minutes #244 of the April 30 meeting were approved.

3. Election of a delegate to the University Faculty Senate

A wide call for nominations and self-nominations had been issued for the position of a delegate representing the adjunct faculty on the University Faculty Senate. Professor Joseph Napoli of the Department of Law, Police Science and Criminal Justice Administration is the sole nominee. By a motion made and seconded, Professor Napoli was elected by unanimous vote.

4. Discussion of the May 13 College Council agenda [Attachment B]

President Kaplowitz explained that the proposed corrections to the minutes of two meetings of the College Council [Attachment B], have been placed on the College Council agenda at her request. The proposed Minutes of the March 19 and of the April 2 College Council meetings do not report the actions taken with regard to the Policy jointly proposed by the Faculty Senate and the Council of Chairs on Class Size and Course Cancellation. President Kaplowitz asked the Faculty Senate to correct, if needed, and to endorse her proposed corrections of the Minutes of the two College Council meetings. Senator Tom Litwack called the correction of Council Minutes a matter of honest record keeping, which is required. Senator Francis Sheehan said that the draft Minutes of these two College Council meetings, as presented, seem like an effort to reinvent history.

Senator Litwack called the incomplete and, therefore, inaccurate Council minutes part of a pattern. He cited, as an example, a College Comprehensive Planning Committee meeting this semester whose minutes referred simply to "a report," without any information about the report, despite repeated attempts on his part to correct those minutes. A motion affirming the accuracy of the proposed corrections to the College Council minutes [Attachment B] was unanimously approved.

5. Proposed Resolution on developing policies jointly with the Council of Chairs: Senate Executive Committee

The Senate's Executive Committee moved the following Resolution: Resolved, That the Faculty Senate, in cooperation with the Council of Chairs, create an Ad Hoc Charter and Policy Review Committee to develop proposed policies for consideration and vote by the Faculty Senate and by the Council of Chairs and, if approved, for transmittal to the appropriate bodies or individuals.

President Kaplowitz reported that at its most recent meeting, the Council of Chairs endorsed this proposal, subject to the endorsement by the Faculty Senate. Senator Litwack noted that the John Jay Charter of Governance was written and approved more than 30 years ago, at which time the College was very different than it is in 2003; it seems, therefore, reasonable to review the document and to change it, as appropriate. The motion was approved by unanimous vote.

6. Proposed Resolution on the John Jay Foundation: Senate Executive Committee

The University Faculty Senate (UFS) has adopted a Resolution, which is supported by Chancellor Goldstein, which recommends that the individual colleges include faculty members on the board of their foundations. Donors contribute money when they are confident that the money will be well spent, which requires a board of directors which inspires donors' confidence. Donors also contribute money when they know exactly what the academic and other needs of the College are, which are often best articulated by faculty. Chancellor Matthew Goldstein told the UFS that when he was President of Baruch for seven years, during which time he raised more than \$60 million from donors, he found that having faculty on the Baruch Foundation Board was invaluable in raising money for Baruch. No faculty currently serve on the board of John Jay's Foundation nor have faculty ever served on the John Jay College Foundation board. The following Resolution was adopted by unanimous vote:

Resolved, That the Faculty Senate recommends that faculty members, to be recommended by the Faculty Senate, be appointed to serve on the Board of the John Jay Foundation, as recommended for all colleges by a Resolution of the University Faculty Senate, and as is currently the practice at several CUNY colleges, and which has the stated support of Chancellor Matthew Goldstein.

7. Consideration and vote on candidates for Honorary Degrees to be given in May 2004: Professor Jerry Markowitz: Chair, Committee on Honorary Degrees

Professor Jerry Markowitz, Chair of the Committee on Honorary Degrees, proposed candidates for an honorary degree to be given at the May 2004 Commencement ceremonies. Biographical information about each candidate had been distributed to the Senate in advance of the meeting. He presented the candidates on behalf of the 7-member Committee on Honorary Degrees, which is elected by the faculty. The Committee members, in addition to Professor Markowitz, who was elected Chair by the Committee, are Professors Todd Clear, Peter DeForest, Jannette Domingo, Betsy Hegeman, Jack Jacobs, and Maria Volpe.

The Senate, after off-the-record deliberations about the qualifications of the proposed recipients and voting by secret ballot, approved the following candidates by the requisite 75 percent affirmative vote of those Senators present and voting, as required by the John Jay honorary degree procedure: Derrick Bell, Barbara Ehrenreich, Fred D. Gray, and Mary Robinson.

The candidates' names and biographical information about each will be forwarded to President Lynch for his approval and, then, to Chancellor Goldstein for his approval, and then for vote by the CUNY Board of Trustees.

Senator Litwack proposed that the Senate recommend that all four recommended honorary degree candidates be invited to speak briefly at Commencement, explaining that this has always been successful in the past. He noted that the Procedure for Awarding Honorary Degrees requires the Senate to recommend the speaker(s). This proposal passed by unanimous vote.

Senator Evan Mandery asked Professor Markowitz whether the Committee on Honorary Degrees could henceforth articulate clear criteria by which the Committee makes its recommendations to the Faculty Senate, so that people whose nominees are not recommended to the Senate would be able to know whether to propose that individual again in the future.

Professor Markowitz said that the Committee had long ago decided to not communicate such information and continues to take that position. He explained that the Procedure for Awarding Honorary Degrees requires complete confidentiality of the discussions about the candidates. Senator Mandery asked how one is to know whether it is worth the work of resubmitting a nomination.

Senator Carol Groneman said her understanding is that it is always worth resubmitting a nomination, since the circumstances of voting change from year to year. Professor Markowitz concurred and added that the Committee on Honorary Degrees had made a decision not to provide such information to nominators and he is reporting for the Committee. Senator Mandery urged that the Committee reconsider its decision.

Professor Markowitz said he would not be comfortable transmitting information that would discourage nominators from resubmitting their nominations, since the Committee membership in subsequent years is likely to be substantially different than it is in any given year. President Kaplowitz added that it is not only the membership of the Committee that is a factor but also the fact that the pool of nominated candidates necessarily changes from year to year. Furthermore, the issue of confidentiality is an overriding one. Indeed, she noted, the Senate is prohibited by the Procedure for Awarding Honorary Degrees, which was developed by the Faculty Senate and approved by the College Council in 1989, from even reporting the names of any individuals whom the Committee on Honorary Degrees recommends whom the Senate does not approve by at least 75 percent affirmative vote of Senators present and voting.

Professor Markowitz thanked the Senate and left amid the applause of the Senate.

8. Proposed Resolution on turnitin.com: Senate Executive Committee [Attachment C]

A proposed Resolution from the Senate Executive Committee was discussed:

Resolved, That the Faculty Senate recommends that John Jay subscribe to tumitin.com for those faculty who wish to avail themselves of this online service to deter and detect student plagiarism.

The full Resolution [Attachment C] was approved by unanimous vote.

9. Invited guest: CUNY Vice Chancellor for Budget and Finance Ernesto Malave

The Senate and Vice Chancellor Malave will reschedule this meeting.

10. New Business

Senator Carol Groneman and Senator Jodie Roue briefed the Senate about a proposed John Jay College Honors Program that is being developed by an ad hoc committee on which both are members. The proposed program involves mentoring undergraduate honors program students by doctoral students in our Criminal Justice doctoral program as well as courses focusing on issues of justice. In response to questions about the governance process, it was explained that the proposal is in a preliminary stage.

Senator Groneman said the design now envisioned is only for the first years of an honors program, so an entire four-year program still needs to be developed. She called the idea proposed by Professor Todd Clear that the undergraduate honors students work closely with our doctoral students an important one. Senator Roue reported that one idea being considered is that the honor students be given the option to do an externship with a public service agency during January intersession.

Asked whether the honors students would be given scholarships, it was explained that the Provost had had to leave the committee meeting when the issue of money was raised and, therefore, no decisions could be made about this question.

President Kaplowitz said that if the honors program is a success, it may legitimize our request to be **part** of CUNY's Honors College. The participants in the CUNY Honors College are Baruch, Brooklyn, City, Lehman, College of Staten Island, Queens, and Hunter. John Jay is not permitted to participate. Senators Roue and Groneman said we need to see how the honors program works before the College decides whether to again request that we be participants in the CUNY Honors College.

By a motion made and carried, the meeting was adjourned at 2:45 pm.

Respectfully submitted,

Edward Davenport
Recording Secretary

&

Jodie Rowe
Associate Recording Secretary

Report of the Board of Trustees Committee on Fiscal Affairs – Meeting of May 5, 2003

Committee Members present: Trustees Joseph Lhota (Chair), Kathleen Pesile, Nilda Soto Ruiz, and Faculty Member Karen Kaplowitz. Also present: Chancellor Matthew Goldstein, Senior Vice Chancellor Allan Dobrin, Vice Chancellor Ernesto Malave, Vice Chancellor Frederick Schaffer. Also, Trustee Susan O'Malley. Also, President Marlene Springer.

Report by Vice Chancellor for Budget and Finance Ernesto Malave:

The Mayor's Executive Budget was released on April 15. The City funding for the year remained flat because the Mayor's Executive Budget had not recognized the tremendous spike in enrollment this year and therefore \$6.9 million has now been added to this year's budget as the result of recognition of the enrollment increase this year at the community colleges. Similarly \$2.8 million generated at the community colleges from the Spring semester Technology Fee was also recognized in the Executive Budget which had not previously been the case. However, the \$6.9 million and \$2.8 million are not being carried over to next year's budget – the FY2004 budget – because of an expectation by the Executive of volatility in enrollment; in other words, the expectation by the Executive is that enrollment at the community colleges will decline and that there will, therefore, be a decline in both tuition revenues and in Technology Fee revenues. Should such a decline not occur, those funds would be restored.

Unfortunately, the City Executive Budget once again proposes the elimination of the \$5.5 million for the Vallone Merit Scholarships and the \$2.7 million for General Administration, Adult Literacy, and Legislative Initiatives. And, again, there is a proposed reduction of \$0.124 million from the Hunter campus schools.

The City Capital Budget proposes funding for the completion of the new facility at Medgar Evers. Also, the Borough Presidents provided \$2.9 million for capital projects (which is a significant decrease from the usual \$8 million to \$9 million that had been provided each year by them).

In response to the Governor's proposed budget for CUNY which calls for a senior college tuition revenue budget of \$504.7 million, an increase of \$121.5 million, and a \$90 million decrease in operating funds, the Senate and the Assembly approved a two-house bill which restored \$7.3 million for SEEK, which is a full restoration, and a \$800,000 legislative add-on for child care.

The Governor's Budget requirement of a \$120 million revenue increase assumes a tuition increase of \$1,200 per student. The Assembly and the Senate jointly decided to retain the senior college tuition revenue budget of \$504.7 million, which means that the Governor's \$121.5 million tuition revenue increase is retained, but the Legislature decided to lower the tuition increase for resident students so that the increase is a 30% increase for resident students, which is a tuition increase of \$950 instead of \$1200. To do this, the Assembly/Senate budget requires that the remainder of the \$121.5 million revenue be generated by a tuition increase from non-resident students in the amount of \$32.4 million, which would mean a 45% tuition increase for non-resident students, which is a tuition increase of \$4,000.

Vice Chancellor Malave reported that although the budget situation does not require an increase in tuition at the community colleges, the Chancellery is recommending an increase in community college tuition for the purpose of improving educational quality, since such a high proportion of course sections at the community colleges are taught by adjunct faculty: such increased tuition, which would have to be approved by the City Council, would be allocated to hiring full-time

faculty and meeting other academic and instructional needs.

Chancellor Goldstein added that if there is an increased differential between community college and senior college tuition and if, as a result, there is migration to the community colleges by students who plan to transfer to a senior college, CUNY has to ensure that the students' experience at the community colleges is as close to the senior college experience as is possible. He said that we must, therefore, invest in the community colleges by hiring more full-time faculty there.

The Chancellor's concern is that without an increase in the community college tuition, the current tuition gap of \$700 between community college and senior college tuition could be increased to an even larger gap, which could result in large numbers of students choosing to attend the community colleges, where there would not be room for them and which could also result in a tremendous loss in tuition revenue at the senior colleges. If the Legislature's action requiring a larger increase for non-resident students were to stand, the cost for senior college non-residents could be \$10,000 a year and if there's no increase in the tuition for non-resident community college students, the gap could be a difference in tuition of \$7,000 because the community college non-resident students currently pay \$3,000 a year in tuition..

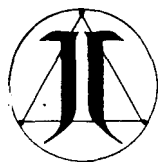
Forty percent of our international students are at the community colleges and among the senior colleges, 30% of John Jay's graduate students are non-resident students, mostly from out of state, and 50% of Baruch's graduate students are non-residents, mostly international students, and a large proportion of CCNY's students, especially those in the sciences, are also international students.

The Assembly/Senate budget also restored all of the Governor's proposed cuts to TAP and eliminated the Governor's proposed 30% delay in TAP payments until after students graduate. The Legislature also voted to increase TAP to provide for financial aid for a \$950 tuition increase. The Senior College Capital funding, as recommended in the Governor's Budget, of \$1 billion for CUNY is not included in the budget, because final agreement has not been reached for CUNY and SUNY.

The Senate/Assembly budget agreement also restores the following in the State Education Department budget: \$18.7 million in Bundy Aid (for independent colleges and universities); \$10 million for STEP and CSTEP; and \$6.5 million for the Liberty Partnership Program.

Chancellor Goldstein reported that he spoke on May 2 with the Legislative leadership about the bifurcation of the tuition increase in the Assembly/Senate budget and asked them to rethink this approach. Senior Vice Chancellor Dobrin and Vice Chancellor Malave are to meet with the leadership of Ways and Means the following day. The Legislative leadership has acknowledged that they had not considered the probable negative consequences of their bifurcation approach and agreed that to hamstring the University by requiring it to generate so much revenue from a particular population is problematic.

It is possible that the Governor, who is restricted to only line-item vetoes, and who, therefore, is not permitted to veto the entire Assembly/Senate budget, might veto the out-of-state differential tuition increase, which would be an ironic turn of events. It is expected that there will be a budget in about 10 days, that is, around May 15, because the Legislature has enacted a budget even though it is without the concurrence or the participation of the Governor. It was explained to the Committee, that once the State has a budget, even if it is a budget that is ultimately contested in the courts, the CUNY Board of Trustees may enact a tuition increase and, therefore, the full expectation is that the CUNY Board of Trustees will be voting on a tuition increase or on tuition restructuring at its June meeting so that both current and potential CUNY students can know the 2003-04 tuition situation as soon as possible.



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

The City University of New York
445 West 59th Street, New York, N.Y. 10019
212 237-8000

To: The College Council

From: Dr. Karen Kaplowitz
President, Faculty Senate

Re: Correction of College Council Minutes of March 19,2003, and of April 2,2003

As a member of the College Council who attended and participated in both the March 19,2003, meeting of the College Council and the April 2,2003, Special Session of the College Council, I request that the Minutes of both meetings be corrected as follows:

I. Minutes of the March 19,2003, meeting: Please correct by adding the following language:

1. The President of the Faculty Senate, a voting member of the College Council, requested that the Agenda be corrected to include the properly submitted Proposal on Class Size and Course Cancellation Policy, submitted by the Faculty Senate and the Council of Chairs for inclusion on the Agenda of the March 19,2003, meeting but which had been withheld from the College Council Executive Committee.
2. The Chair *pro tem* ruled the request out of order
3. The President of the Faculty Senate appealed the ruling of the Chair *pro tem*.
4. The Chair of the Council arrived and upheld the ruling of the Chair *pro tem*.
5. The President of the Faculty Senate asked that a vote be taken on her appeal of the decision, an appeal that had been seconded.
5. The Chair moved to table the motion.

(Continued)

6. The Faculty Senate President called for a secret ballot.
7. The motion to table was defeated by the College Council members present and voting by a vote of 23 yes and 11 no.
8. The question was called on the motion to appeal the ruling of the Chair. The motion to call the question passed by hand vote.
9. The Faculty Senate President called for a secret ballot.
10. The appeal of the Chair was supported by a majority vote of the College Council, the actual count was not announced. Therefore, the College Council voted that the Proposal from the Senate/Council of Chairs was proper College Council business and was to be considered by the College Council.
11. The Faculty Senate President, at the request of the Chair and in consultation and with the stated support of the Chair, made a motion that there be a special meeting of the College Council within two to three weeks; that a date for this special meeting be set through consultation between and agreement of the President of the Faculty Senate and the President of the College, who is the Chair of the College Council; that the Senate/Chairs Proposal on Class Size and Course Cancellation Policy be the Agenda item of this special meeting; and that proxy voting be permitted. [N.B. The provision for proxy voting was later determined to not be permissible; this determination was made independently by both the President of the Faculty Senate and by the CUNY Vice Chancellor for Legal Affairs.]
12. The motion passed with all voting yes, three (3) voting no, and no abstentions.

II. Minutes of the April 2, 2003, meeting: Please correct by adding the following language:

1. By virtue of the fact that the Faculty Senate/Council of Chairs Proposal was already on the College Council Agenda, the Proposal was automatically moved and seconded. An amended version of the Faculty Senate/Council of Chairs Proposal on Class Size and Course Cancellation Policy was moved by the President of the Faculty Senate, a voting member of the College Council. The motion was seconded.
2. The question was called and seconded.
3. The motion to call the question passed.
2. The Faculty Senate President called for a secret ballot.
3. The Proposal was approved by a vote of 24 yes, 15 no.
4. The Amended Proposal, as approved by vote of the College Council, is attached to these Corrected Minutes.

Resolution on Deterring and Detecting Student Plagiarism

Adopted by Unanimous Vote of the Faculty Senate

Whereas, John Jay faculty are reporting an increase in the number of plagiarized papers they receive, and

Whereas, The easy access to material on the Internet, including both free and for-purchase term papers, is viewed by many faculty as a contributing factor to this serious academic situation, and

Whereas, The many, many billions of websites on the Internet pose a challenge for faculty who wish to prevent plagiarism and who wish to respond effectively and appropriately to suspected and actual plagiarism, and

Whereas, Over the recent years, student leaders and other students at John Jay College of Criminal Justice have cited plagiarism by students as one of their issues of major concern in their capacities as both student leaders and as John Jay students, and

Whereas, An online company called turnitin.com offers colleges the opportunity to subscribe to a service whereby all faculty at that college may chose to require their students to directly submit their papers by email to turnitin.com which then scans each paper for plagiarism through the use of turnitin.com's database of billions of documents and then sends an email report to the faculty member, and

Whereas, turnitin.com charges colleges an annual subscription fee based on the number of students at the college who actually use the service, with colleges with comparatively small enrollment, such as John Jay, being charged a much lower fee than colleges with large enrollments, and

Whereas, Faculty at colleges that subscribe to this service have the option of using the service or not using it, and

Whereas, The College has established a Committee on Academic Integrity at the direction of the University, as has all the colleges of CUNY, but is not considering a College subscription to tumitin.com, and

Whereas, LaGuardia Community College has subscribed beginning this Spring 2003 semester and other *CUNY* colleges may do so as well, therefore be it

Resolved, That the Faculty Senate requests that the administration of John Jay College subscribe to tumitin.com and be it further

Resolved, That at such time that John Jay were to subscribe to turnitin.com, all John Jay students be informed of this fact and be informed on a regular basis so as to provide a deterrent to plagiarizing others' work and also to provide a deterrent to the purchasing or borrowing of work written by others, which might have been plagiarized by the seller or lender of that work.