

## **Faculty Senate Minutes #267**

### **John Jay College of Criminal Justice**

**Wednesday, October 20, 2004**

**3:15 PM**

**Room 630 T**

**Present (26):** Andrea Balis, Teresa Booker, Marvie Brooks, Orlanda Brugnola, James Cauthen, Effie Cochran, Edward Davenport, Kirk Dombrowski, Janice Dunham, Konstantinos Georgatos, P. J. Gibson, Carol Croneman, Jennifer Groscup, Judith Hawkins, Karen Kaplowitz, Tom Litwack, Vincent Maiorino, James Malone, John Matteson, Rick Richardson, Jodie Roue, Francis Sheehan, Thalia Vrachopoulos, Robin Whitney, Susan Will, Kathryn Wylie-Marques

**Absent (11):** Robert DeLucia, Joshua Freilich, Elisabeth Gitter, Heath Grant, Jennifer Jackiw, Kwando Kinshasa, Evan Mandery, Edward Paulino, Marilyn Rubin, Liliana Soto-Fernandez, Alisse Waterston

**Guests:** Professors Ned Benton, Robert Hong, Jose Luis Morin

#### **Agenda**

1. Announcements from the chair
2. Approval of Minutes #266 of the October 7, 2004, meeting
3. Election of an adjunct at-large representative to the Faculty Senate
4. Election of an at-large Senator to fill a vacant College Council faculty seat
5. Election of a Senate Technology Committee Member
6. Election of additional Senators to the Chairs/Senate Personnel Process Taskforce
7. Report on the College's Annual Financial Plan being sent to the CUNY Central Administration
8. Report about the selection of faculty for appointment to College task forces and committees
9. Decision about the method for selecting faculty for the task forces on the associate degree programs and on liberal arts/humanities majors
10. Discussion about the October 21 College Council agenda items
11. Proposed Resolution on Minutes of the P&B Committee
12. Discussion about implementation of Turnitin.com

#### **1. Announcements from the chair**

CUNY Vice Chancellor for Academic Affairs Selma Botman will be the Faculty Senate's invited guest on Friday, December 10, from 1 to 3 pm. The Convocation marking the 40<sup>th</sup> Anniversary of the Founding of John Jay will be Tuesday, December 14, at 3 pm. Faculty are being asked to process in academic attire. This will not be the formal investiture of President Travis; that

ceremony will take place as part of our Commencement ceremony on June 2.

Senator Jodie Roure announced that on December 10, the College's 5<sup>th</sup> Annual John Jay Latino/Latina Breakfast will take place and that Anthony D. Romero, the executive director of the ACLU, will be the keynote speaker. Senator Effie Cochran announced an April 15 conference at John Jay on Language and the Law, co-sponsored by the Departments of English and Anthropology and by the International Linguistics Association.

**2. Approval of Minutes #266 of the October 7,2004, meeting**

By a motion made and adopted, Minutes #266 of the October 6 meeting were adopted.

**3. Election of an adjunct at-law representative to the Senate**

The seat of adjunct at-large Senate representative Joseph Napoli, who is not now teaching at John Jay, was declared vacant by a unanimous vote of the Senate. At the recommendation of the Executive Committee, Professor Andrea Balis, the next-highest recipient of ballots in the election held last semester for this year's Senate, was elected to fill the vacant seat on the Senate. Senator Balis, who was then telephoned, joined the meeting, and was introduced and welcomed.

**4. Election of an at-large Senator to fill a vacant College Council faculty seat**

Senator Tom Litwack was elected by unanimous vote to fill a vacant faculty seat on the College Council. The seat is vacant because Professor Joseph Napoli, who had been elected last April to this year's College Council, is not now teaching at the College.

**5. Election of a Senate Technology Committee Member**

Professor Peter Moskos (Law, PS) was nominated and elected by unanimous vote to be a member of the Faculty Senate Technology Committee.

**6. Election of additional Senators to the Chairs/Senate Personnel Process Task Force**

Senators James Cauthen, Karen Kaplowitz, and James Malone were nominated and elected by unanimous vote to also serve on the Chairs/Senate Personnel Process Taskforce.

Already serving are Senators John Matteson and Alisse Waterston and Chairs Shevy Alford, Ned Benton, Susan Larkin and Harold Sullivan, who is serving as the chair of the task force.

**7. Report on the College's Annual Financial Plan being sent to the CUNY Central Administration: Senators Tom Litwack and Karen Kaplowitz [Attachment A-1 & A-2]**

President Kaplowitz reported that Senator Litwack, Professors Ned Benton and Harold Sullivan, and she participated in an excellent budget meeting on October 14 with President Travis, Vice President Robert Pignatello, Provost Basil Wilson, Budget Director Angela Martin, and Human Resources Director Donald Gray. Senator Litwack distributed a portion of the College's IO-page Financial Plan sent yesterday to 80<sup>th</sup> Street [Attachment A-1] and he also distributed President Travis' letter, which accompanied the Plan, to Vice Chancellor for Budget Malave [Attachment A-2]. Because the Financial Plan was being revised right up until it was sent to 80<sup>th</sup> Street yesterday, it could not be included with the agenda packet, and President Travis' cover letter was first seen by the faculty an hour ago.

Senator Litwack explained that the Financial Plan [Attachment A-1] is a 3-year budget forecast based on what a student enrollment of 9,995 FTEs, which is the enrollment that CUNY had previously declared to be our current capacity, given our facilities. This year we have a much higher enrollment than 9,995 FTEs; as Dean Saulnier explained at our last Senate meeting, our enrollment this semester is 10,798 FTEs. This Financial Plan assumes two things, Senator Litwack explained: first, it assumes that this year we will have added to our budget the extra tuition revenue that comes from the additional students above 9,995 that had been the target set for us by 80<sup>th</sup> Street for this year. And even though enrollment is now 10,800 FTEs it is expected that normal attrition between the fall and spring semesters will result in our average year's enrollment of 10,636 FTEs. Secondly, the Plan assumes that next year and also the year after that we will return to an enrollment of 9,995 FTEs.

Senator Litwack further explained that Westport was rented for us with the assumption that we need that additional facility when our enrollment is 9,995 FTEs. There is still free capacity in the College on Fridays, and in the evenings, and on weekends, he noted, but in our main teaching periods, which are during the day, we're not only full, we're overcrowded. Noting that this is the Administration's proposed Financial Plan, Senator Litwack explained that the Administration decided to make a forecast based on returning to 9,995 FTEs, which means that all other things being equal, some of the additional revenue that we will be taking in this year is revenue that we will *not* be taking in during those subsequent years.

Furthermore, because we've accumulated lease revenues generated by the garage next to T Building, which will be tom down soon for Phase 11, and because we've saved CUTRA monies – that is, monies we obtained by overenrolling students in the past, based on the overall budget presented to CUNY we would end this year with a balance of almost \$4 million. However, because we'd be spending our lease revenues this year and spending much of our CUTRA, and because we would still receive additional CUTRA monies this year because of the almost 1,000 additional FTE students we enrolled this year, next year, based on our spending basically the same amount as this year, we would just go into balance. And then two years hence, we'd have a deficit of more than \$6 million [Attachment A-I].

Senator Litwack said the situation is actually more significant than it appears to be, because the letter from President Travis to Vice Chancellor Malave lays out a number of proposed initiatives which total more than an additional \$1 million, that is, more than \$1 million not included in the Financial Plan. President Kaplowitz explained that the reason for not including those proposed expenditures in the Financial Plan – which outlines how our currently allocated budget will be spent

– is that President Travis is asking for an additional \$1 million from 80<sup>th</sup> Street. Senator Litwack said that is correct and that, furthermore, for us to be in financial balance, 80<sup>th</sup> Street will have to finally treat us in a fair and equitable manner because our current Plan envisions spending far more money than our current budget allows for.

Senator Litwack further explained that CUNY has recently decided that all CUNY colleges that have been collecting overenrollment revenues by increasing enrollment will be permitted to fold those overcollection revenues into their base budgets. There is a good aspect and a bad aspect about this, in his opinion. The good aspect is that this change means that our current budget includes approximately \$8 million in overcollection revenues and that \$8 million would be added to our base budget, which means that nearly 50 full-time substitute faculty positions could be converted into 50 tenure-track positions. President Kaplowitz added that this Financial Plan envisions that 15 full-time substitute faculty positions will be converted into 15 tenure-track positions each year for the next three years, beginning with this year.

The bad aspect, and this is only his personal view, Senator Litwack said, is that he has always considered overcollection revenue to be a good source of monies for bringing us to fiscal equity and now that overcollection revenue will be in colleges' base budgets and, thus, will not be available for equity redistribution; he added that because such use of overcollection revenue was never going to be monies that 80<sup>th</sup> Street would re-allocate in that way, there really is no negative aspect to this change.

President Kaplowitz pointed out that the cover letter is also President Travis' way of sharing with the College his proposal to restructure the academic side of the administration: six deans would report equally to the Provost. There would be three divisional deans: a dean of humanities, a dean of social sciences, and a dean of forensic studies. The three other deans being proposed are a dean for research, a dean for professional studies, and a dean for student academic support services. There is also to be a Senior Policy Advisor to the President. Other initiatives and positions are also proposed in the document. For the additional Executive Compensation Plan positions, President Travis is asking the CUNY Central Administration to provide the College with additional funding.

Senator Marvie Brooks asked about a statement on the third page of President Travis' letter that states that "we will be examining new ways to use under utilized time periods (evenings, Fridays, summer, and winter intercession [sic]) for both credit and non-credit offerings." President Kaplowitz explained that one of the CUNY Performance Management Process measures is for the University to "show an increase in the percentage of instruction delivered on Fridays, weekends and evenings." Evening is defined as courses that meet beginning at 5 PM or after; Friday and weekend courses include those meeting any time on Friday, Saturday, or Sunday. At John Jay, the percentage of undergraduate FTEs offered on Fridays, weekends, or evenings in Fall 2001 was 34.1%; in Fall 2002 it was 30.3%; and in Fall 2003 it was 32.5%.

She also recounted that when she and 9 other faculty testified at the Board of Trustees hearing in October 2003 to convince the CUNY Board of Trustees to rent the entire first two floors of Westport for John Jay because we were so overcrowded, Chancellor Goldstein responded to the testimony by saying he would support the faculty's request on the condition that we pledged to fully use the College on evenings and on weekends and during other underutilized times. He had said that he couldn't support the University's spending of an additional \$2.5 million a year to rent the Westport facility if we did not fully utilize that facility or our other buildings and, she said, that she had made that pledge on behalf of the faculty, because North Hall was dangerously, frighteningly,

overcrowded and we needed Westport to reduce that overcrowding. The passage in President Travis' letter can be read as President Travis' pledge to do what the Chancellor is requiring of all CUNY colleges.

Professor Ned Benton said that it is not clear how the graduate programs are going to function within the proposed new academic framework, in that the Plan calls for the elimination of the position of Dean of Graduate Studies. He added that this year and next year will be particularly and critically important years for those on the Faculty Senate and College Council, because the faculty on these two bodies are going to be helping make many decisions which will be crucial for the future of the College. He also reported that during the budget meeting, a series of budget questions were raised and subsequently those questions were sent by the faculty to Budget Director Angela Martin who referred them to the appropriate administrators and other budget questions were discussed directly with the Provost.

One question that is relevant to the Plan, he said, involves the adjunct budget: is the adjunct budget that is proposed in the Plan the correct number for us to be able to comply with the policies and procedures regarding class size and class cancellations, he asked. Similarly, do we have the funds it would take if we actually offered classes across the scheduling grid in ways that might, at least at first, require classes to be permitted to run with fewer students than has been permitted in the past. Professor Benton noted the need to review procedures for funding faculty travel. Another area has to do with a funding procedure for allocation of OTPS [Other Than Personnel Services] to departments; OTPS is money for things as opposed to funds for salaries of people.

Professor Benton added that he doesn't think that *CUNY* will support a Plan that projects the College being more than \$6 million in the red in three years from now. We said that perhaps CUNY will be supportive of the Plan but that we have to be prepared for the possibility that changes may be required. But if in this particular year if there are going to be changes to this Plan, those changes will be in the form of cuts and if that turns out to be the case, we have to be attentive to the elements that are within the budget and we have to be able to defend those things that are important for the core mission of the College.

Senator Carol Groneman asked whether the reorganization Plan was developed entirely within the President's Office. President Kaplowitz said that President Travis did show the academic administrative restructuring Plan to her once it had been developed but not the rest of the Plan. Senator Groneman asked whether other faculty had been consulted. Professor Benton said he had not known about the proposed changes until he read the cover letter from the President.

Senator Marvie Brooks asked whether President Travis knows that there is money that the University could allocate to John Jay. President Kaplowitz said that John Jay is the most underfunded College in CUNY and that CUNY is able to find funds for initiatives when there is the institutional will to do so. The Chancellery would have to make some very difficult decisions if they were to provide us with even some of the funding we need, she added.

Senator Litwack said we are so extremely underfunded, we need so much money, that it's not easy to come up with that amount. He added that the Plan ignores something that is also extremely important and that is savings. And the other thing we don't know about, because we didn't have the chance to discuss it with the President at the budget meeting, is the College's non-tax levy accounts and the plans for the funds in those accounts; the letter does mention that commitments have been made from those funds and, so, that is something else that the faculty need to address with the

President, who is the ultimate determiner of the use of those funds.

President Kaplowitz noted that Tom, Harold, Kirk, and she were consulted about the Financial Plan, including the determination to reduce enrollment to 9,995 FTEs, which the four supported. Senator Groneman said it is important to recognize that for the first time in memory the College is actually saying that we do not want to overenroll in order to obtain funding, adding that this has been an issue for a very, very long time.

Senator Litwack said that we have to keep in mind, however, that CUNY may say that if we want this level of funding we have to overenroll. And President Kaplowitz said CUNY might say that our buildings are underutilized on the weekends and on Fridays and that we can absorb, through good planning, more students. There are two separate issues, she noted: the issue of reducing enrollment and the issue of restructuring the administration, both of which have fiscal implications.

President Kaplowitz added that this is the first time that a President of John Jay has publically stated, in writing, that this College is underfunded and the first time that such a written public statement was issued by a President of John Jay to the Chancellery. Until now, only the Faculty Senate has publicly said this and only the Faculty Senate has said this to the Chancellery and to the Board of Trustees.

She made reference to the Fall Faculty/Staff Meeting at which Professor James Cohen, in asking a question, recounted Professor Jill Norgren's having asked in the 1990s about the constant enrollment growth and President Lynch having replied that growth is good and that we can manage growth. Professor Cohen then asked President Travis whether he holds the same opinion and President Travis said no, that it is the quality of what we do, not the quantity that matters and there was sustained and vigorous applause. The President Travis rephrased his position and restated it and again the response was sustained applause.

Senator Cochran said perhaps the Chancellor is going to want to support our new President and she agreed that this and next are critically important years. Professor Benton agreed that all the questions have now been put into play. President Kaplowitz suggested we congratulate President Travis for translating his position into this financial document and letter. Senator Litwack said he thinks the President is saying that this is what we need to be a quality college and if 80<sup>th</sup> Street wants us to be a quality college, this is what they have to do for us.

[N.B. Some of the proposals for restructuring the administration of the College, as envisioned in the Letter accompanying the Financial Plan, were subsequently amended by President Travis, following extensive consultation by President Travis with the elected faculty leadership.]

#### **8. Report about the selection of faculty for appointment to College task forces and committees: Executive Committee**

The Senate and Chairs Executive Committees learned that task forces and ad hoc committees were being formed or were about to be formed. The elected leadership of both groups communicated to the President that one aspect of shared governance is that the faculty recommend or select the faculty members on task forces, and committees, including and especially search committees. And the presidents of the Senate and Chairs met with President Travis to discuss the

issue, which President Travis is now studying. The Senate will be kept informed about developments.

**9. Decision about the method for selecting faculty for the task forces on the associate degree programs and on liberal arts/humanities majors [Attachment B]**

President Kaplowitz said she had just met with President Travis who is considering the idea of combining the two task forces proposed by the Senate, on the associate degree programs and on liberal arts/humanities majors, combined into one task force which would study both issues. As the Senate know, these two issues – the associate degree programs and liberal arts/humanities majors – have been identified by President Travis as the two central issues to be addressed this academic year. One issue is what should we do about the associate degree programs: expand them, keep them as they are, raise admissions, limit enrollment to them, or close them. The second issue is what to do about liberal arts/humanities majors: the Chancellor said to the Faculty Senate in May that he would support viable proposals for such majors at John Jay and the questions are what would be the consequences of our establishing such majors and of not doing so. To review what it is the Faculty Senate proposed and approved on September 22, copies of the Resolutions were provided [Attachment B].

President Travis has asked an individual who is not connected to CUNY to serve as chair of the task force, an individual whom the President described as a wonderful facilitator. This person is an academic but is not currently at any college or university. President Kaplowitz explained that she does not know the identity of the individual, because President Travis is waiting to learn if this person will agree to chair the task forces (or the combined task force). She said President Travis told her he thinks it is very important to have the chair of the task force(s) be someone outside the College, someone who would be, therefore, neutral and who would have no vested interest in the issues and no personal agenda and no history with the issues.

The Faculty Senate's Executive Committee next presented a recommendation for nominating and electing faculty members to the task force(s) on the associate degree program and on the non-mission (liberal arts/humanities) majors. The proposal is that members of the Faculty Senate and of the Council of Chairs may nominate faculty, including faculty not serving on either body, and the electorate shall be the joint membership of the Senate and the Council of Chairs. Voting shall be by written, mailed ballot. This is similar to the procedure used to elect the faculty members on the search committee for president.

Professor Jose Morin questioned the establishment of the task force(s) because he said they emanated from the draft Strategic Plan being required by Middle States, which had been drafted over the summer and which is now in President Travis' possession, but which the Faculty Senate has not yet seen.

President Kaplowitz explained that the genesis of the idea for the task forces was actually quite different and is entirely unrelated to the draft Strategic Plan and that the connection is actually the reverse of the one described by Professor Morin. She said that when Chancellor Goldstein met with the Senate on May 11, he spoke about three issues: our associate degree programs, the question of liberal arts/humanities majors, and the need for the College to raise private and grant monies. In response to this, the idea for task forces about the first two issues emerged and became part of the

Senate's initiatives as well as those of the Planning Committee. Neither the Senate nor the Planning Committee could reasonably or responsibly be expected to ignore the statements of the Chancellor, she added.

Furthermore, she said, the Senate's Executive Committee developed the specific proposal for the task forces following President Travis' meeting with the Faculty Senate on September 9 [Minutes #264]. At that Senate meeting, President Travis said that the question of whether we should continue to have the associate degree program and the question of whether we should have liberal arts/humanities majors are the two issues about which he wanted college-wide discussions and then decisions by the end of the academic year. When he made that statement, he was asked by Secretary Edward Davenport to describe how he envisioned these College-wide discussions and decisions will be made and President Travis responded by saying he would welcome suggestions.

At the subsequent Senate meeting on September 22 [Minutes #265], the Senate approved the Executive Committee's proposal that there be two task forces, which would be charged to develop, gather, and analyze data and then issue data-based white papers – but the reports are not to include any recommendations – and these white papers will be the basis for the College-wide discussions and then for decisions [Attachment B].

Vice President Dombrowski suggested that it might be helpful if he provided a review of the chronology of the Draft Strategic Plan being required by Middle States. In July 2003, the Middle States Commission responded to our Self-Study and to their Site Visit findings, which are required for re-accreditation, with a requirement that we develop and submit three planning documents, that is, a 3-part document; the three planning documents are to be on strategic planning, on facilities planning, and on outcomes assessment and they are due by April 1, 2005.

The Comprehensive Planning Committee, which had been chaired by Provost Wilson and which, since September, has been chaired by Dean Rubie Malone, began working on the planning documents at the end of May 2004 by forming three committees, one on strategic planning, which is co-chaired by Professors Tom Litwack and Andrew Karmen; one on facilities planning, which is co-chaired by Professor Ned Benton and VP Pignatello; and one on outcomes assessment, which is co-chaired by Professors Maureen O'Connor and Marilyn Rubin.

And, so, Vice President Dombrowski continued, a number of faculty and administrators worked over the summer to produce a draft document and did so during the summer because we had only until April and had lost a year that had passed since the letter from Middle States had been received. By the end of the summer, the three committees had developed preliminary draft documents which will circulate to the College community for discussion and comment and revision. The draft plans will be voted on at the March meeting of the College Council. He said Karen is correct that these are the formative issues of the College at this time and that it would be strange if they were not addressed by those working on the documents required by Middle States just as it would be strange if they were not addressed by the Senate.

Senator Tom Litwack said that as the co-chair of the committee which is working on the draft Strategic Plan he can say with authority that the College does not yet have a strategic plan; all that exists is a preliminary draft in the form of three different documents totaling about 30 pages, which President Travis has not commented on as yet, and which the committee has not yet declared to be its finished draft plan and which, thus, is not yet ready to be circulated to the community. The three committees that worked during the summer were chosen by the Comprehensive Planning

Committee (CPC). Next week the President will meet with the CPC to discuss the draft document and what the next steps should be. He said he has no idea of what the President thoughts are about the document. There is no strategic plan; there is only a draft.

Professor Morin said that the documents have always been described as “draft documents” and there have been statements that the documents are not written in stone. But, he said, documents, even if they are a “draft” are floating around, documents which even the Senate has not seen but which the President has had since September 9. He expressed concern that these draft documents might become policy without being fully and sufficiently discussed by the faculty; he said his concern is based on the fact that President Travis has had the documents for more than a month and his concern is also based on the fact that faculty and students still don’t know what is in the documents.

Professor Morin asked whether faculty and students will have sufficient time to comment about the draft documents. He said his concern is also because one of the documents speaks about changing the student composition and he is concerned about the effect that would have on diversity. None of this has been debated and, in fact, the debate hasn’t even begun. No students were on the committees during the summer. Students still don’t know anything about this. And so he has a lot of concern about whether this will in fact become a *fait accompli*. And that could happen if people aren’t given sufficient time to do the work that will be needed to make informed and effective comments and suggestions for revisions.

Senator James Malone said policy rarely starts with the committee as a whole but rather starts with a small group of thinkers who think about the issue and who draft a statement and which is sent to the next level, which in this case is the President, and then to the whole community which then weighs in on the draft.

Vice President Dombrowski said the planning committee thought it would be a courtesy to let the new college president see the draft document since it was in existence when he arrived, so that he could see what the issues are and so he could weigh in, if he wished, before it had been further developed, but not with the idea that the document was a finished document, far from it. The groups felt it would be rude and that it would not make sense to not let him see a document in its early draft form. But the plan was always that, through the CPC, the draft documents would be distributed to the College community.

Senator Litwack said he does not wish to speak for Dean Rubie Malone, who chairs the Comprehensive Planning Committee and who is responsible for the plans required by Middle States, but based on his conversations with her he is certain that she is absolutely committed to having the fullest discussion of the draft by the entire College community that is possible, as are the faculty who have been working on the draft.

Senator Morin said he agrees that as a courtesy the President should have received the draft but that it is more than a month since he was given it and yet the representatives of the faculty, the members of the Faculty Senate, haven’t seen it. What does that say, he asked.

Senator P. J. Gibson asked what is the time line and the process that will be followed. President Kaplowitz said that on October 22, in two days, the CPC is scheduled to have a meeting which President Travis will be attending. He will give his reactions to the draft as will members of the CPC. At that time, either the CPC will decide that the documents should be distributed to the

community for discussion by the Faculty Senate, the Student Council, the Council of Chairs, departmental meetings, and so forth, or there will be objections sufficient to delay the immediate transmittal of the document to the community. She explained that none of us has any idea what President Travis opinion of the documents is. But ultimately the draft will have to be voted on by the College Council, no later than March, for transmittal to Middle States by April 1.

Senator P. J. Gibson asked what is the process if President Travis supports the document going out to the community but then when it is finally distributed there are aspects of the draft that members of the community find problematic. Professor Benton said that the three committees are going to have a lot more work to do because the committees will have to receive comments and suggested revisions and evaluate the responses and amend the documents accordingly. He added that it is important to know that the draft strategic plan is saying there are important decisions that will have to be made by the College and it defines what those decisions that will have to be made are but it does not make those decisions. The draft strategic plan envisions certain kinds of ways of making those decisions and tries to visualize the implications of the decisions once they're made. But the decisions aren't made in the draft plan and they aren't being made by those working on the draft.

President Kaplowitz said the agenda issue that is before the Senate is the method for selecting the faculty members to serve on these very important task force(s), which will develop white papers about two of the issues to be decided so that the community can have fact-based and informed discussions and then make fact-based and informed decisions. This is the Senate's initiative, she noted, adding that President Travis did not initiate the idea of a task force and the CPC did not initiate the idea of it. The Senate did this. Now we have to decide how the faculty are to be selected who will serve on the task force(s). If we delay making the decision about how to select the faculty, we will do exactly what Professor Morin is worried about: we will let others make the decisions.

The Executive Committee's proposal was re-iterated. The motion was that the Senate and the Chairs shall nominate faculty to run for election to serve on the task force(s); the faculty who are nominated do not have to be members of the Senate or of the Chairs; those voting will be the members of the Senate and of the Chairs who will receive a secret, written, mail ballot; the top vote recipients will be elected.

Professor Morin said he wants to explain that his objection is that the parameters for these discussions and for the work of the task force(s) has already been done by the writers of the draft plan. Senator Litwack said that at this point, all the draft plan says about developing liberal arts majors is the following: "The College should consider the development of liberal arts majors." That's the entire statement about the subject. Professor Morin says the draft also speaks about the composition of the students and that there will be a discussion about the College's commitment to access and diversity. To the extent that other faculty have not seen this document, we don't know to what extent the parameters have been set on this debate, he concluded.

Senator Groneman called the question. The proposal of the Executive Committee was approved by unanimous vote. It was agreed that nominations will be made at the next Senate meeting.

**10. Discussion about the October 21 College Council agenda items**

The agenda comprises casting of ballots by the College Council for the members of the Council's Executive Committee, for the student members of the College P&B, and for the student members of the Academic Standards Committee.

**11. Proposed Resolution on Minutes of the P&B Committee: Executive Committee [Attachment C]**

Vice President Dombrowski explained that the proposed Resolution [Attachment C] was developed by the Executive Committee in response to issues raised at previous meetings about the lack of minutes of the College P&B meetings. Senator James Malone asked what would be reported in the proposed minutes of the P&B. President Kaplowitz said it would be a report of attendance as well as policy and procedural decisions, but would not include information about personnel actions about individual faculty.

She noted that, when asked, one of the lawyers in the Office of the Vice Chancellor for Legal Affairs and Legal Counsel to the Board of Trustees told her that such minutes are not only appropriate but that a FOIA request to the CUNY Legal Office for attendance records of Personnel Committee and Review Committee meetings would be immediately honored.

Vice President Dombrowski explained that when we vote for the department chairs and for the three at-large faculty members, at the very least we should know these peoples' attendance on this very important committee.

President Kaplowitz noted that 15 affirmative votes are required for an affirmative recommendation to the President and those 15 votes are needed whether all 29 members are present or only 25 or only 23. An analysis by Professor Ned Benton of the votes over a number of years revealed that when 25 or more members were present and voting, candidates had an 85% rate of affirmative votes, but when only 23 or 24 members were present, candidates had a 65% rate of affirmative votes. Minutes that record attendance are a way to provide an incentive to attend and faculty have the right to know who attends and who, if any, does not.

The Resolution was approved by a vote of 25-0-1 [Attachment C]

**12. Report and discussion about implementation decisions regarding turnitin.com**

Professor Robert Hong, the Director of Educational Technology, was introduced. He said that he had met with Senator James Cauthen about the use of Turnitin.com and that because he is Director of Educational Technology, he is by default the administrator of Turnitin.com, and that faculty have been begging him to implement it. However, he said, he is not willing to set up procedures and rules without direction from the Faculty Senate or from the College Council.

Professor Hong said he is recommending a delay in implementing the plagiarism prevention service, because there are too many unresolved problems. President Kaplowitz said that the

subscription for the College of Turnitin.com was an important Faculty Senate initiative and that some administrators have indicated that they will only renew the service if faculty use it, and she does not want the delay to provide an excuse to not renew our subscription. She also said that we have spent \$6,000 to purchase the license for the fiscal year, which began July 1, and it could be said, and it would be correct if said, that we have wasted \$3,000 if we delay use of it until Spring.

Senator Francis Sheehan said that faculty in Science are pleading with him to have the use of the service, and he wondered if we could not do some kind of trial run. Vice President Dombrowski said he liked Senator Sheehan's idea but is concerned that the service might be difficult for faculty to use without training. Senator Cauthen said that he had registered his class into the service and it took him only ten minutes to do it. He said that the service is very user-friendly. Professor Benton said he hoped we would not drop the ball on this and that we should make the procedure available to the faculty and make use of this invaluable service.

The Senate Executive Committee was authorized to develop proposed procedures for the immediate implementation of Turnitin.com. The Senate will discuss and vote on these proposed procedures at its next meeting,

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

Respectfully submitted,

Edward Davenport  
Recording Secretary

&

Jodie Roue  
Associate Recording Secretary

&

James Cauthen  
Associate Recording Secretary

**ATTACHMENT A-1**

**/15/2004 Three Year Budget Forecast based on Current Capacity (9,995 FTE)**

<b>Base Budget</b>					
Base Budget (includes \$8.740M addition to base)					
Base Budget reduced for 2% cut and ERI payments to be made by CUNY					
Assume State will provide union contractual 4% compounded increments for all personnel services (PS/TS/ADJ/SUMMER)					
Lump Sum Allocations					
<b>* Grand Total Operating Budget Allocation</b>					
	FY05	FY06	FY07		
	47,149,700	47,149,700	47,149,700		
	(1,123,000)	(180,000)			
	<u>6,925,600</u>	<u>2,018,573</u>	<u>2,105,316</u>		
	<b>52,952,300</b>	<b>55,913,873</b>	<b>56,180,616</b>		
<b>Additional Revenue Sources</b>					
Lease Revenue (non-recurring- no new lease revenue after FY05: goal is to carry nothing forward beyond FY05)	3,125,000	0	0		
** Cumulative CUTRA (balance of what was earned from FY01 through FY04 to be rolled over if unused in 04/05)	5,107,063	0	0		
*** Projected Additional Net Revenue from FY05 (non-recurring based on ann avg FTE of 10,636- assuming 3% drop in Sp05)	2,269,000	0	0		
Unexpended CUTRA balances from prior fiscal years	0	3,976,845	81,034		
<b>Total Additional Revenue:</b>	<b>10,501,063</b>	<b>3,976,845</b>	<b>81,034</b>		
<b>Total Operating Budget</b>	<b>63,453,363</b>	<b>59,890,718</b>	<b>56,261,650</b>		
<b>Financial Plan Expenditures</b>					
includes allocation of new base revenue and critical needs/on-going expenses not covered by base budget and one year use of lease revenue from new building site					
PS	37,771,376	40,420,151	42,374,157		
Adjuncts (includes 170.5k summer CUE expenses)	6,345,900	6,599,736	6,863,725		
Summer (excludes 170.5k summer CUE expenses)	652,500	678,600	705,744		
Temps	5,694,550	5,922,332	6,159,225		
OTPS	9,012,192	9,372,680	9,747,587		
One-Time 04/05 Lease Revenue Costs and their increased contractual costs from FY 06 and FY 07	59,476,518	(3,183,814)	(3,311,167)		
<b>Total Financial Plan Expenditures:</b>	<b>59,476,518</b>	<b>59,809,684</b>	<b>62,539,272</b>		
<b>Year-end Balance:</b>	<b>3,976,845</b>	<b>81,034</b>	<b>(6,277,622)</b>		

\* out of this \$54M, 2% has already been encumbered by CUNY as a mid-year reduction to our budget. We have already covered this as part of the mandatory costs noted above. There is a possibility that there will be an additional 2% reduction which we have not yet set aside.

\*\* This amount increased \$ from the estimated \$4,598,600 - \$508,463 - \$432k comes from CUNY not taking 2% as a mid-year cut but only 1% which they actually took in late Spring - planned expenses were reduced by \$432k but we did not have a need to re-assign these funds so late in the year - the other \$77k comes from staff vacancies beyond those originally estimated

\*\*\* This number will vary depending on the Spring 05 enrollment and reduction info. It is not a definitive determination.



JOHN JAY COLLEGE OF CRIMINAL JUSTICE  
The City University of New York

Office of the President

To: Vice Chancellor Ernesto Malave  
Office of Budget and Finance

From: President Jeremy Travis

Date: October 18, 2004

I **am** pleased to present John Jay College's Financial Plan for FY '05. Let me start by expressing our appreciation for allowing us some additional time to submit this plan to your office. As the first fiscal plan presented to the University of my Presidency, it **was** important for us to **carefully** review our spending priorities, consult with faculty leaders, consider the impact of FTE levels, and work **on** developing a plan to support academic activities, increase **operational** effectiveness and provide resources **to** "jump start" future revenue producing programs.

Before discussing the details of the Financial Plan (emailed to UBO Friday evening), I would like to present some of the critical assumptions that provide a foundation for the Plan. First, we have based our projections for this year on the actual FTE level we recorded this year, namely **10,798**. **As you know**, we experienced a significant over-enrollment that has caused strains on our **instructional** resources and physical facilities. Furthermore, the over-enrollment resulted **in a** highly chaotic first week of classes. I have committed the College to gaining better control over the enrollment process and **only** admitting the number of students that is consistent with our current capacity. For these reasons, our revenue projections for next year and beyond will reflect the University's target of **9,995** FTEs for this year, not the unplanned for over-enrollment we actually experienced.

Second, I point **out** that this budget has been prepared during a time when I was also reviewing the adequacy of the organizational **infrastructure** and strategic capacity of the College. Over the past two months, I have identified a number of critical weaknesses that must be addressed if we are to bring John Jay College to the level of excellence that is now expected of my tenure **as** President. About a month *ago*, I released a memorandum to the College announcing a realignment of critical functions within the College. Within the next two weeks, I will be releasing a second memorandum announcing **a** further

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[N.B. Some of the proposed restructuring was subsequently revised by President Travis .]

realignment of the Office of Academic Affairs. Allow me to summarize the key dimensions of this restructuring of John Jay College:

- ❖ We have created an Office of Professional Studies that will combine all the training, technical assistance, mid-career professional development, continuing education, and leadership development of the college. I expect this new office to become a major force for launching new initiatives to engage the criminal justice, private security, fire safety and other professions. Many, if not most, of those initiatives can be self-sustaining, but will require a University investment in infrastructure. The college has never undertaken a systematic approach to these opportunities. A new Dean for Professional Studies will oversee this office.
- ❖ We have created an Office for the Advancement of Research. John Jay College has a strong research-oriented faculty, particularly among the new faculty, but has never had adequate infrastructure to promote their research agendas or carry out a substantial portfolio of research projects. As with the Office of Professional Studies, this new office should generate significant resources for the College, but will require investment in infrastructure. A new Dean for the Advancement of Research will oversee this office.
- ❖ In the restructuring of the Office of Academic Affairs, we will be creating three deanships (for Humanities, Social Sciences, and Forensic Studies) to replace two current deanships (for Undergraduate and Graduate Studies), and creating a new Dean for Academic Support Services to coordinate the many programs that provide these services to our students. These new deanships are required by the growth in the student body, the addition of new graduate programs, the assignment of new responsibilities to the Office of Academic Affairs, and the need to align academic departments in a way that positions the College to grow in its areas of strength, while simultaneously raising the standards of educational offerings and student achievement.
- ❖ The first phase of the realignment of John Jay revealed significant deficiencies in the infrastructure needed to raise external funds for the college. There is only one line for development and one for alumni affairs. There is no position for intergovernmental affairs, none for events planning, and inadequate positions for communications. In order for John Jay College to participate in the **CUNY** campaign, develop an aggressive fundraising program, have an alumni program commensurate with our stature, engage government officials on projects and funding proposals of mutual interest, and convey our message to the public, we will need to build the necessary infrastructure almost from scratch. I have already made substantial commitments of scarce discretionary, non-tax levy resources to these efforts, but the College's base budget must, in the first instance, reflect these new priorities.

- ❖ To better coordinate new initiatives across the College, I will be establishing the position of Senior Policy Advisor to the President. This individual will take issues and ideas that are critical to the success of the College, develop strategies for solving problems and incubate new initiatives.

We have now begun to develop a more detailed analysis of the personnel and budget implications of the realignment of John Jay College outlined above. We look forward to an opportunity to discuss this analysis with you in the near future, but wanted to foreshadow that discussion in this document. At **first** cut, we expect to be proposing the addition of five positions to the Executive Compensation Plan to support our strategic initiatives (for a cost of approximately **\$580k**) and seven staff positions to the Office of Institutional Advancement (1 for government relations; 2 for events; 2 for development; 2 for alumni relations) for **an** approximate **cost** of \$320k.

Finally, before **turning** to this year's Financial Plan, you should be aware that we are conducting a more in-depth review of the implications of the base budget for the long-term strategic plan of the College. **In** particular, we will be focusing on working with the University to develop a strategy to achieve the **70:30** teaching ratio, **as** well as strategic investments in new infrastructure such as science labs and space to **accommodate** students beyond the current target of **9,995** FTE's. We will be examining new ways to use under utilized time periods (evenings, fridays, summer, and winter intercession) for **both** credit and non credit offerings. **I** expect this review to take another two months and will be requesting an **opportunity** to discuss that analysis with you and others later this year.

I will now return the focus to this year's plan which reflects that FY '04 over collected tuition revenue now be considered **part** of the college's base budget. **As** part of this new **base** budget, the **plan** begins with a process to replace **30** previously funded full time substitute faculty lines with permanent full time tenure track positions and **fund** 15 additional ones. This action helps us to move closer to closing the gap between full time and adjunct faculty and **has** been strongly advocated by our faculty leadership. Recruitment efforts will begin to fill the **first** 15 slots for the Fall '05 semester.

This effort will be supported by \$2.4M of the additional \$8.7M – a commitment of 27% of our new base budget funds directly to full time teaching. In addition, we plan to supplement the University Lump Sum for Adjuncts by \$1M and set aside \$625k for our summer session. This increases our instructional commitment **as** part of the new base to **\$4M** or **46%** of the new base budget increase of \$8.7M.

In examining the use of the balance of the base budget addition, we address the provision of student services, academic, and administrative services to support our mission. We seek to permanently increase our Student Services complement of staff and counselors by committing **4%** of the new funds or **\$357.4k** to 10 positions (**9** of which are currently filled by substitutes in Admissions, the Registrar, Student Activities, Office of Disabled

Student Services, and a counselor). We plan to hire a data technician familiar with the latest student services software such as Degree Works.

Other academic support includes adding a full time Writing Center data technician, as well as adding **\$240k** in support funds for a sophomore peer mentoring program and funds to support the academic requirements of our new faculty members in the Science, Mathematics, and Psychology departments for a total of **\$285k** or **3%**.

Our administrative expenditures as part of the new base are **\$1,524M** (17%) and include full time hires and **OTPS** funds to supplement under funded support areas, continue the approved Executive Compensation **Plan** adjustments of September **2003**, and begins the effort to provide our development, research **and** training efforts with the seed monies needed to reposition these areas for future progress. The total number of administrative personnel to be added is **13** with one additional position funded by a transfer of college assistant funds. Of this group, **7** substitutes are already working: in the Office of the President (4), of which two are junior staff members replacing a senior staff member who was transferred to the office of Dean of Students, the Business **Office** (**1**), the Office of Alumni **Affairs** (1) the office of strategic planning (1), and a Counsel to the President who will come on board shortly (**1**). The remaining **6** staff hires will supplement those already in Information Technology (**2**), Buildings **and** Grounds (**3**) - including the CUNY mandated Environmental Management Director, and the Budget Office (**1**). **The 13** added positions in this category total \$740,000 on **an** annual basis.

We express our appreciation to the Chancellor, Vice Chancellor Dobrin, to you, and the other Vice Chancellors for the support of our new satellite location at the Westport Building. This new complex has been well received by students, staff and faculty. The **annual** operation costs of **\$545,000 (6%)** are included in our new base.

Lastly, we dedicate **\$2,162M (25%)** to those areas that compensate for historically flat budgets which did not account for mandatory contractual increases nor **OTPS** inflation, and **CUNY** priorities and or contributions toward central office shortfalls. These include reserving **\$943k** for the projected mid-year cut (**11%**), another **11%** or **\$1M** for unfunded July/January increases for three fiscal years, **\$180k** for ERI payouts for this the second of three fiscal year payments (**2%**), **as** well as **\$32k** set aside to pay this first year of a five year payment of a Title IV penalty (**.5%**).

We note that **19** of the total of 26 staff positions in this plan we propose are already filled with substitutes from FY '04. The positions will now be subject to a search for **full** time staff members. In order to retain these positions and add new ones, we should discuss the ceiling limits which are in place.

It is important to stress that we have **\$3M** in other critical need-on-going expenses that are not covered by the new base budget dollars. We consider these as close to mandatory in terms of their necessity. The plan will rely on prior year CUTRA reserves to fund these expenses for the '05 fiscal year. A listing of these **48** temporary services and **OTPS** projects is appended to the Financial Plan documents.

We also have \$3M one-time costs to be charged to the accumulated lease revenue from the new building site. As you know, this is the last year of revenue available from the new building site as we expect to break ground late spring. The annual income from the lease revenue from the new building site is approximately \$1.5M per annum. The amount of \$3,125M is derived from agreements between the college and UBO for '03 (\$750,000 – half); '04 (\$1.5 million – all); and '05 (\$875,000 – 58%). The remainder of the '05 (\$625,000) is set aside as the College's commitment to pay 25% of the first year's annual lease of the Westport site which is \$2.5M. The one time uses of the new building site funds include over \$1million in furniture and equipment for Westport (we also contributed \$300,000 in Tech Fee funds and \$250,000 in Auxiliary Services funds to open Westport) and \$1 million to undertake renovations to North Hall, Haaren Hall and our BMW space that are necessary as a result of the relocation of programs to Westport (i.e., space being converted from classrooms in North Hall to offices and computer labs), and to support a major functional re-organization of administrative units I have instituted.

In summary, John Jay College presents a balanced budget for FY '05 with a surplus to be carried into FY '06 to *again fund our* critical/on-going expenses and other unfunded mandatory needs.

I look forward to our Financial Plan conference to discuss this year's plan and, as important, the longer term financial needs of the College and how the College and the University can work together to address them.

## ATTACHMENT B

**Resolved,** That the Faculty Senate recommend to President Travis that a taskforce on the associate degree programs be created; that this taskforce collect and analyze data and identify and analyze the relevant issues regarding the associate degree programs and identify the various options possible; that the taskforce *not* make any recommendations but rather provide a written report that provides an analysis of the positive and negative consequences of the College's acting or not acting on each option; that this written report be the basis for discussions by various College bodies and in different forums; that the taskforce make the process open and inclusive and meet with individuals and groups who request such meetings and invite appropriate individuals and groups to meet with the taskforce and hold open hearings; that the written report be the basis ultimately of proposals that will be generated as a result of the report, proposals that will be duly discussed and voted upon; that the President provide the taskforce with staff.

**Resolved,** That the Faculty Senate recommend to President Travis that a taskforce on liberal arts majors be created; that this taskforce collect and analyze data and identify and analyze the relevant issues regarding liberal arts majors and identify the various options possible; that the taskforce *not* make any recommendations but rather provide a written report that provides an analysis of the positive and negative consequences of the College's acting or not acting on each option; that this written report be the basis for discussions by various College bodies and in different forums; that the taskforce make the process open and inclusive and meet with individuals and groups who request such meetings and invite appropriate individuals and groups to meet with the taskforce and hold open hearings; that the written report be the basis ultimately of proposals that will be generated as a result of the report, proposals that will be duly discussed and voted upon; that the President provide the task force with staff.

Adopted by the Faculty Senate

September 22, 2004

## ATTACHMENT C

### **Resolution on Minutes of the Personnel Committee and Review Committees**

**Whereas**, the reappointment, tenure, and promotion of the faculty is a crucially important process to not only the individuals who are subject to personnel actions but to their colleagues and to the students of the College, and

**Whereas**, the attendance records of Personnel Committees and Personnel Review Subcommittees are a matter of public record, and

**Whereas**, the Faculty Senate Executive Committee has learned from CUNY Legal Counsel that the publication of attendance records is not only appropriate but that a FOIA request to the CUNY Legal Office for attendance records of Personnel Committee and Review Committee meetings would be immediately honored, and

**Whereas**, the Faculty Senate's efforts during the last decade to receive from the College Administration such Personnel Committee attendance records have been unsuccessful, and

**Whereas**, the faculty of the College need to make informed voting decisions when electing the at-large faculty on the College Personnel Committee and when electing their department chairs, all of whom are members of the College Personnel Committees and, thus, also of the Review Subcommittees, and

**Whereas**, an absolute majority of all members of the Personnel Committee is required for a personnel action to be an affirmative recommendation to the President of the College, and

**Whereas**, this means members' absences have the same effect as negative votes, and

**Whereas**, the Personnel Committee has determined that a quorum comprises 25 of the 29 members but that if fewer than 25 are present those present can establish a lower quorum as long as at least 23 members are present, and

**Whereas**, an analysis of personnel actions over many years at John Jay reveals that when 25 or more of the 29 members of the Personnel Committee are present and voting, 85 percent of personnel actions are affirmative, but when 23 or 24 members are present, only 65 percent of personnel actions are affirmative, therefore be it

**Resolved**, that the Faculty Senate requests that the President of the College, who is the Chair of the College Personnel Committee, make the attendance records of all Personnel Committee meetings and of all Personnel Review Subcommittee Committee meetings available to the President of the Faculty Senate within 3 days of each meeting and that the College President also make them available on the College Council homepage (or on a Personnel Committee homepage if one is created) within a week of each meeting and that the attendance records also indicate the arrival and departure time of those members who are not in attendance during the entire meeting, and be it further

**Resolved**, that the Faculty Senate requests that the President of the College, who is the Chair of the College Personnel Committee, also make available, in the same ways and according to the same time frames as above, Minutes reporting all actions regarding procedures and policy recommendations and that the Minutes report no information regarding personnel actions about individual members of the faculty.