Faculty Senate Minutes #329

Wednesday, May 21, 2008 3:20 PM Room 630T


Absent (8): Erin Ackerman, Michael Alperstein, Marvie Brooks, Kirk Dombrowski, Janice Dunham, Marcia Esparza, P. J. Gibson, Raul Romero, Thalia Vrachopoulos

Senators-Elect as of June 24, 2008, pending approval of the revisions to John Jay’s Charter by the CUNY Board of Trustees: Andrea Balis, Erica Burleigh, Beverly Frazier, Kimberly Helmer, Allison Kavey, Nicholas Petraco, Michael Pfeifer, Valerie West

Invited Guest: President Jeremy Travis

Agenda

1. Adoption of the agenda
2. Welcome and introduction of Faculty Senate members
3. Announcements from the chair
4. Approval of Minutes #328 of the May 15, 2008, meeting
5. Review of the organization, history, and work of the Faculty Senate
6. Review of ongoing initiatives and outstanding issues
7. Report on the May 14 meeting of the College Council
8. Invited guest: President Jeremy Travis
9. Election of the Faculty Senate Executive
10. Election of the Chair and Members of the 2008-09 Senate Fiscal Advisory Committee
11. New business

1. Adoption of the agenda, Approved.
2. **Welcome and introduction of Faculty Senate members** [Attachment A]

Each Senate member was individually introduced and welcomed or welcomed back to the Senate.

3. **Announcements & Reports**

4. **Approval of Minutes #328 of the May 15, 2008, meeting**

Minutes #328 of the May 15, 2008 meeting were approved.

5. **Review of the organization, history, and work of the Faculty Senate** [Attachment A-2]

President Kaplowitz discussed the role of the Faculty Senate at the college. She presented examples of Faculty Senate initiatives, including issues on which the Senate has collaborated with the Council of Chairs and with the John Jay Chapter of the PSC. President Kaplowitz introduced Attachment A-2 a partial list of major Faculty Senate initiatives, the history and work of the Faculty Senate and a description of membership of both the College Council and the Faculty Senate. President Kaplowitz explained the Perez v. CUNY court decision and how it has impacted the work of the College Council and its committees: the unanimous ruling by the Court of Appeals of NYS found that the College Councils of CUNY colleges make policy and are, therefore, subject to the Public Officers Law and, thus, the Open Meetings Law. This means that no motion can pass unless it has a positive vote of an absolute majority and not just a majority of those present at a meeting. Also, no secret ballots are permitted and the College Council is prohibited from going into executive, or closed, session unless it is doing so for one of the few reasons permitted by the Open Meetings Law. She explained, furthermore, that our Faculty Senate is not bound by these laws.

6. **Review of ongoing initiatives and outstanding issues**

President Kaplowitz said that some of the upcoming issues for the Faculty Senate are the implementation of changes resulting from the revision of John Jay’s Charter; monitoring compliance with course size caps; and completion of the Personnel Guidelines.
Senators Ali Kocak raised the issue of the lack of sufficient laboratory research space for the Science Department. Senator Simon Baatz added that the Senate should focus on making sure the academic departments have maximum use of the new building, adding that the Senate should push to ensure that all the academic departments be housed in one place. Senator Gail Garfield said the Senate should consider establishing its own Space Committee because there will be many space issues. President Kaplowitz reported that at a PSC Labor/Management meeting earlier in the day, President Travis committed to having a meeting in September with the Faculty Senate about space issues.

7. Report on the May 14 meeting of the College Council [Attachment B]

The College Council approved the College Council Bylaws [Attachment B]. This is the first time the College Council has bylaws. The approval of the revision of John Jay’s Charter is on the agenda of the June 23 meeting of the CUNY Board of Trustees; the changes were approved by the Board Committee on Faculty, Staff, and Administration.

8. Invited guest: President Jeremy Travis

President Travis said his main reason for coming to today’s meeting is to welcome the new Faculty Senate members. He expressed how important the Senate is to the work that we do at the College. In the past, we have resolved issues with a level of collegiality and respect. President Travis explained that he has agreed to come to every other Senate meeting to discuss what is going on at the College. He mentioned some of the accomplishments he and the Senate have worked together during this year in particular. Senator Litwack asked President Travis what issues he foresees for the coming year. President Travis listed department reorganization; budget issues about which he is feeling a cautious optimism in this time of fiscal constraints; laying the ground work for the next strategic plan; to set guidelines for where we need to be; and, on the top of his list, real estate. He stated that he will be paying attention to these issues in the summer. He will begin by celebrating where we are but he wants to make sure that certain things will be in place when students and faculty arrive in the Fall.

9. Election of the Faculty Senate Executive Committee

President Kaplowitz introduced the Faculty Senate Constitution and explained the necessity of electing the Executive Committee of the Senate at the May meeting, namely that the Executive Committee is available to work on issues that may come up during the summer. She discussed the responsibilities of The Executive Committee. President Kaplowitz handed the floor over to Vice President Sheehan who then opened nominations for President.
The following were nominated and elected:

President: Karen Kaplowitz
Vice President: Francis Sheehan
Corresponding Secretary: Amy Green
Recording Secretary: Edward Davenport
Associate Recording Secretary: Virginia Diaz
Member-at-Large: Adam Berlin
Member-at-Large: Teresa Booker

10. Election of the Chair and Members of the 2008-09 Senate Fiscal Advisory Committee

Senators Kirk Dombrowski, Karen Kaplowitz, Tom Litwack, and Francis Sheehan were elected. Senator Litwack was elected Chair of the Committee.

11. New business

Under the new Charter, a bridge executive committee of the College Council will work during the summer. The Senate will need to pick two members to serve on this Committee. It was suggested that the Executive Committee of the Faculty Senate be responsible for selecting the members. The Senate voted to have the executive committee choose those who will serve.

Senator Teresa Booker proposed that the Senate recommend the creation of an annual faculty award to recognize faculty who provide outstanding and exemplary service to the College and name the award in honor of Professor James A. Malone, who epitomizes such service. The motion was adopted by unanimous vote. The Faculty Senate voted to create an Award for Distinguished Faculty Service in honor of Dr. James Malone. President Kaplowitz spoke of all his great accomplishments. Senators Green added that service is one of the three prongs in the P process and is not recognized at the college. Making faculty service public and prominent is important.

By a motion made and adopted, the meeting was adjourned at 5 pm.
Membership of the 2008-2009 John Jay Faculty Senate

13 Full-time faculty At-Large representatives elected by the full-time faculty [*CC member]
- Adam Berlin – English*
- Marvie Brooks – Library*
- Edward Davenport – SEEK/English
- Kirk Dombrowski – Anthropology
- DeeDee Falkenbach – Psychology*
- P. J. Gibson – English
- Amy Green – Speech, Theater & Media Studies/ISP*
- Maki Haberfeld – Law, Police Science & CJA*
- Karen Kaplowitz – English*
- Tom Litwack – Psychology
- Evan Mandery – Law, Police Science & CJA*
- Francis Sheehan – Science*
- Thalia Vrachopoulos – Art, Music, Philosophy*

3 Adjunct faculty At-Large Representatives elected by the adjunct faculty:
- Michael Alperstein – Law, Police Science & CJA
- Heather Holtman – Counseling*
- Arthur Sherman – Speech, Theater & Media Studies

Department representatives elected to the Faculty Senate and to the College Council:
- African-American Studies: Teresa Booker
- Anthropology: tba
- Art, Music, Philosophy: Tanya Rodriguez
- Counseling and Student Life: Mickey Melendez
- English: JoEllen Delucia
- Foreign Languages & Literature: tba
- Government: Erin Ackerman
- History: Simon Baatz
- Interdisciplinary Studies Program: Richard Haw
- Law, Police Science, CJ Administration: Staci Strobl
- Library: Janice Dunham
- Mathematics: Jinwoo Kim
- Physical Education & Athletics: Vincent Mairino
- Psychology: Shuki Cohen
- Public Management: Patrick O’Hara
- Puerto Rican & Latin American Studies: Marcia Esparza
- Science: Ali Kocak
- SEEK: tba
Additional members of the Faculty Senate and College Council as of June 24, 2008, pending approval by the CUNY Board of Trustees of the revised Charter & Bylaws on June 23:

Andrea Balis – History/ISP
Erica Burleigh – English
Elise Champeil – Science
Virginia Diaz – SEEK
Beverly Frazier – Law, PS, CJA
Kimberly Helmer – English
Nicholas Petraco – Science
Michael Pfeifer – History
Valerie West – Law, PS, CJA
The Senate has met with invited guests from the CUNY Chancellery, with some several times:
- Chancellor Matthew Goldstein
- Interim Chancellor Christoph Kimmich
- Chancellor W. Ann Reynolds
- Executive Vice Chancellor for Academic Affairs Selma Botman
- Executive Vice Chancellor for Academic Affairs Louise Mirrer
- Senior Vice Chancellor and Chief Operating Officer Allan Dobrin
- Vice Chancellor for Budget and Finance Ernesto Malave
- Vice Chancellor for Legal Affairs and General Counsel of the BoT Frederick P. Schaffer
- Vice Chancellor for Academic Program Planning Russ Hotzler
- Vice Chancellor for Construction & Buildings Emma Macari
- Vice Chancellor for Academic Affairs Richard Freeland
- Vice Chancellor for Budget Richard Rothbard
- Vice Chancellor for Student Affairs & University Dean for Academic Affairs Elsa Nunez
- CUNY Budget Director Ernesto Malave
- CUNY Director of Facilities Construction Joanna Pestka
- CUNY Director of Facilities Design Lia Gartner
- Senior Vice Chancellor and Chief Operating Officer David Freed

Several members of the CUNY Board of Trustees have also been invited guests of the Senate:
- Trustee Jeffrey Wiesenfeld
- Trustee John Morning
- Trustee George Rios
- Trustee Jerome Berg
- Trustee Michael Crimmins
- Trustee Kay Pesile
- Trustee Sandi Cooper

Other guests of our Faculty Senate have been elected City and State officials:
- NYS Assemblymember Denny Farrell
- NYS Assemblymember Scott Stringer
- NYS Assemblymember Edward Sullivan
- NYS Assemblymember Richard Gottfried
- NYS Assemblymember (and later NYS Senator) Larry Seabrook
- NYS Senator Catherine Abate
- NYS Senator Franz Leichter
- Manhattan Borough President C. Virginia Fields

John Jay administrators have regularly been guests of the Senate:
- President Jeremy Travis
- Provost Jane Bowers
- Vice President for Administration Robert Pignatello
- Assistant Vice President for Planning and Outcomes Rubie Malone
- Assistant Vice President for Enrollment Management Richard Saulnier
Dean of Undergraduate Studies Jane Bowers
Dean for Research James Levine
Legal Counsel Rosemarie Maldonado
various previous members of the College administration

A very partial list of major Faculty Senate initiatives

1. Updating and revision, with the Council of Chairs and the College administration, of the JJ Personnel Procedures Guidelines: adoption expected in Fall 2008

2. Revision, with the Council of Chairs, and the College administration, of the JJ Charter of Governance: approved by the College Council April 2008 and expected approval by the CUNY Board of Trustees expected in June 23, 2008

3. Provided a forum for and participated in the process for the reorganization of several academic departments: approved by the College Council April 2008 and expected approval by the CUNY Board of Trustees in June 2008

4. License for Turnitin.com – a plagiarism prevention online service – and hands-on workshops

5. Development of a proposed policy on privacy – with the Council of Chairs – which became the basis of the CUNY Policy on Computer Use adopted by the CUNY Board of Trustees

6. Class size and course cancellation policy – 2003 – with the Council of Chairs

7. Admissions criteria raised for both the associate and baccalaureate programs – 1998

8. Honorary Degrees Selection Process – 1989. The Senate proposed the current process and is responsible for recommending candidates to the President


9. Closing of the ROTC Program at John Jay because of discriminatory policies and practices against gay and lesbian students – 1990.

10. Endorsement of statement by Board of Trustees Interim Chair Benno Schmidt on academic freedom and tolerance – September 2001.

12. Change in class schedule, ending 10th period and changing times for periods 1-9.

13. Had course prerequisites enforced through computerized prerequisite checking and blocking of registration for courses when course prerequisites not completed.

Current College Council:

- 28 faculty (50% of total membership)
  - At least one representative from each of the academic departments
  - The remaining 8 faculty allocated by a method decided by the Faculty Senate

- 15 students
- 5 HEOs (higher education officers – i.e., administrators below level of dean)
- 1 alumni/alumnae rep
- 1 non-instructional staff member
- President
- Provost
- VP for Student Development
- VP for Finance & Administration
- Dean for Registration and Administration
- Dean of Graduate Studies

Total = 58 members

New College Council upon approval of the Charter by the CUNY Board of Trustees on June 23:

- 42 faculty (60% of the membership):
  - One representative elected by each academic department
  - The remaining faculty chosen by a method determined by the Faculty Senate

- 14 students
- 5 HEOs
- President
- Provost
- VP for Student Development
- VP for Finance & Administration
- Dean of Undergraduate Studies
Dean of Graduate Studies
Dean for Research
VP for Enrollment Management

Total = 69 members

Faculty Senate:

13 full-time faculty elected by the full-time faculty
4 adjunct faculty elected by the adjunct faculty
The faculty elected by each academic department – one per department – to serve on the
College Council & Faculty Senate
Faculty to fill the additional seats on the College Council (which may be at-large members
of the Faculty Senate and/or other faculty chosen by any method determined by
the Faculty Senate
I. College Council Committees

1. General Provisions:
   i. Unless otherwise specified in the John Jay Charter of Governance or these Bylaws, the Faculty Senate, Higher Education Officer Council and Student Council shall each elect or appoint representatives from among its constituency group to College Council committees. The names of those elected or appointed to College Council committees by each constituency group shall be forwarded to the College Council for a vote of ratification at the next regularly scheduled meeting.
   ii. Except where a committee chairperson is designated in the Charter of Governance or these Bylaws, the President shall appoint a convenor for each committee.
   iii. Except where a committee chairperson is designated in the Charter of Governance or these Bylaws, at its first meeting of the academic year, each committee shall elect a chairperson and a vice chairperson.
   iv. Each committee shall meet at least once during the academic year.
   v. The committee chairperson shall submit a schedule of meetings to the Executive Committee at the beginning of each academic semester. The chairperson of each committee shall enter the meeting dates onto the College’s electronic calendar.
   vi. Subject to the provisions of state law, all College Council committee meetings are open to the public.
   vii. All committees shall keep minutes of their meetings, including attendance, and submit them to the Secretary of the College Council within 14 days of approval.
   viii. The chairperson of each committee shall submit an annual written summary of its activities to the Secretary of the College Council no later than 14 days before the last scheduled meeting of the College Council each academic year. Each summary shall include a report of the attendance of committee members.
   ix. The Faculty Senate, Council of Chairs, Higher Education Officers Council and the Student Council may refer items to College Council committee chairpersons for the committee’s consideration as agenda items. Copies of all such items shall be simultaneously submitted to the Executive Committee.
10. College Council committee members shall serve for a term of one (1) year except for ex officio members and except when otherwise set forth in the Charter of Governance or these Bylaws.

11. Administrative members of committees shall be those named, or those holding equivalent positions and functions, as determined by the President.

12. When a vacancy on a College Council committee occurs, as determined by the Executive Committee, the Executive Committee shall notify the constituency. If 30 days after notification the constituency fails to elect an interim representative, the Executive Committee shall appoint a representative from the affected constituency. A member serving to fill a vacancy shall serve only to complete the regular term of the member he or she has replaced.

13. No person shall participate in more than one constituency election for College Council committee representatives.

14. No student may serve on more than two (2) College Council committees, unless he or she serves by virtue of his or her office.

2. Standing Committees:
   a. Executive Committee:
The Executive Committee shall consist of the following members: President, chairperson; Provost and Senior Vice President for Academic Affairs; Senior Vice President for Finance and Administration; Vice President for Student Development; seven (7) members of the full-time faculty as defined in Article I, Section 3.a.i; two (2) higher education officers; and three (3) students.

   The faculty, higher education officers and student representatives shall be elected by the College Council from among its members in September of each year. From June 1 until such time as the College Council holds this election, there shall be an Interim Executive Committee which shall consist of the following members: President, chairperson; Provost and Senior Vice President for Academic Affairs; Senior Vice President for Finance and Administration; Vice President for Student Development; the President and Vice President of the Faculty Senate; two (2) other members of the Faculty Senate; the President and Vice President of the Higher Education Officers Council; and the President and Vice President of the Student Council. The faculty, higher education officer and student members of the Interim Executive Committee shall nominate College Council members of their respective constituencies as candidates for election to the Executive Committee.

   b. Committee on Undergraduate Curriculum and Academic Standards:
The Committee on Undergraduate Curriculum and Academic Standards shall consist of the following members: Provost and Senior Vice President for Academic Affairs, chairperson; Vice President for Enrollment Management; Dean of
Undergraduate Studies; the chairperson of each of the academic departments or a full-time member of the faculty, as defined in Article I, Section 3.a.i of the Charter of Governance, who has served in that capacity at the College for at least one (1) year, to be elected from among the members of that department to serve for two (2) academic years; and three (3) students, each of whom have a cumulative grade point average of at least 3.0. The Committee shall elect a vice chairperson from among its faculty members. The Provost and Senior Vice President for Academic Affairs shall provide a secretary to the Committee.

c. Committee on Student Interests:
The Committee on Student Interests shall consist of the following members: Dean of Students, chairperson; the Director of Athletics; Director of Student Activities; six (6) students; and two (2) members of the faculty.

d. Judicial Committee:
A Judicial Committee shall consist of two (2) members of the faculty, two (2) students and a chairperson. As set forth in Article XV of the Bylaws of the CUNY Board of Trustees, the rotating panels shall be appointed as follows:

i. The President shall select, in consultation with the Executive Committee, three (3) full-time members of the faculty, as defined in Article I, Section 3.a.i of the Charter of Governance, to receive training and to serve in rotation as chair of the Disciplinary Committee.

ii. The two (2) full-time members of the faculty, as defined in of the Charter of Governance, shall be selected by lot from a panel of six (6) members of the full-time faculty elected annually by the Faculty Senate.

iii. The two (2) student members shall be selected by lot from a panel of six (6) students elected annually in an election in which all students registered at the College shall be eligible to vote.

iv. In the event that the student panel or faculty panel or both are not elected, or if more panel members are needed, the President shall have the duty to select the panel or panels which have not been elected. No individuals on the panel shall serve for more than two (2) consecutive years.

e. Committee on Faculty Personnel:
The Committee on Faculty Personnel shall consist of the following members: President, chairperson; the Provost and Senior Vice President for Academic Affairs; Dean of Graduate Studies; the Dean of Undergraduate Studies; Dean of Research; and, the chairperson of each academic department. The full-time faculty, as defined in Article I, Section 3.a.i, shall elect six (6) at-large full-time
members of the full-time faculty from amongst those who hold the rank of tenured associate and/or tenured full professor, as defined in Article I, Section 3.a.i of the Charter of Governance. Of the six (6) at-large members of the faculty, the three (3) who receive the highest number of votes in a general faculty election shall be the permanent at-large faculty representatives of the committee. The three (3) members of the faculty who receive the next highest number of votes in a general faculty election will be alternate faculty representatives on the committee. An alternate may vote, make motions and be counted as part of the quorum only when a chairperson and/or an at-large faculty representative is absent.

The Student Council may designate up to two students, with at least 30 credits earned at the College, to serve as liaisons to the Review Subcommittees of the Committee on Faculty Personnel. The student liaisons shall be subject to College Council ratification. The role of the student liaisons shall be to review student evaluations of faculty members being considered by the subcommittees for reappointment, promotion and tenure and to summarize the content of those evaluations at a time designated by the Review Subcommittee. Student liaisons are not members of the Committee on Faculty Personnel.

f. Budget and Planning Committee:
A Budget and Planning Committee shall consist of the following members: President, chairperson; Senior Vice President for Finance and Administration; Provost and Senior Vice President for Academic Affairs; Vice President for Student Development; Vice President for Enrollment Management; Assistant Vice President for Strategic Planning; Dean of Research; Dean for Human Resources; Dean of Graduate Studies; Dean of Undergraduate Studies; Executive Director of Finance and Business Services; President and Vice President of the Faculty Senate; Chair and Vice Chair of the Faculty Senate Fiscal Affairs Committee; all academic department chairpersons; the chairperson of the Higher Education Officers Council, or designee; two (2) higher education officer representatives; the President and Treasurer of the Student Council, or designees; one (1) additional student representative; and two members of the non-instructional staff, as defined in Article XIV, Section 14.1 of the Bylaws of the CUNY Board of Trustees.

i. The Financial Planning Subcommittee of the Budget and Planning Committee shall consist of the following members: Senior Vice President of Finance and Administration, chairperson; Provost and Senior Vice President for Academic Affairs; President of the Faculty Senate and Chair and Vice Chair of the Faculty Senate Fiscal Affairs Committee; Chair and Vice Chair of the Council of Chairs; one (1) representative chosen by the Council of Chairs; and the Chair of the Higher Education Officers Council. The Executive Director of Finance and Business
Services and the Provost’s Director for Operations shall staff the subcommittee.

ii. The Strategic Planning Subcommittee of the Budget and Planning Committee shall consist of the following members: Assistant Vice President for Strategic Planning, chairperson; Senior Vice President of Finance and Administration; Provost and Senior Vice President for Academic Affairs; President of the Faculty Senate; two (2) representatives chosen by the Faculty Senate; Chair of the Council of Chairs; two (2) representatives chosen by the Council of Chairs; Chair of the Higher Education Officers Council; and one (1) student representative. The Director of Institutional Research and the Director of Outcome Assessment shall staff the subcommittee.

g. Committee on Graduate Studies:
The Committee on Graduate Studies shall consist of the following members: Dean of Graduate Studies, chairperson; Dean of Students; Vice President for Enrollment Management; Chief Librarian; Graduate Program Directors; the BA/MA Director; and two (2) graduate students.

The Committee on Graduate Studies shall review and approve program bylaws for each graduate program. Such bylaws shall then be submitted to the Executive Committee of the College Council for review and approval. Program bylaws may provide for co-directors after assessing factors such as program size and the interdisciplinary nature of the curriculum.

h. Committee on Student Evaluation of the Faculty:
The Committee on Student Evaluation of the Faculty shall consist of the following members: four (4) full-time members of the faculty, as defined in Article I, Section 3.a.i of the Charter of Governance, and two (2) students. The committee shall elect a chairperson from among its faculty members. Members shall serve for a term of two (2) years.

i. Provost Advisory Council:
The Provost Advisory Council shall consist of the following members: Provost and Senior Vice President for Academic Affairs, chairperson; Director of Operations Office of the Provost; President and Vice President of the Faculty Senate; and, department chairpersons.

j. Council of Undergraduate Program Coordinators:
The Council of Undergraduate Program Coordinators shall consist of the following members: Dean of Undergraduate Studies, chairperson; and coordinators of undergraduate majors.
k. Committee on Honors, Prizes, and Awards
There shall be a Committee on Honors, Prizes, and Awards. The committee shall consist of the following members: Vice President for Student Development, chairperson; the Dean of Students; the Director of Student Activities; three (3) full-time members of the faculty, as defined in Article I, Section 3.a.i of the Charter of Governance; and three (3) students who have a minimum cumulative grade point average of 3.0. Student representatives shall not be seniors.

3. Special Committees
   a. Committee on Faculty Elections
There shall be a Committee on Faculty Elections which shall conduct faculty elections. The committee shall be comprised of five (5) full-time members of the faculty, as defined in Article I, Section 3.a.i of the Charter of Governance.

II. Amendments
The Bylaws may be amended by a two-thirds vote of members of the College Council present and voting at a regular meeting of the College Council, as long as there is at least an absolute majority of affirmative votes. Any amendment to the Bylaws shall be proposed and discussed at a regular meeting of the College Council and shall be voted on at the next regular meeting of the College C