

FACULTY SENATE MINUTES #74

John Jay College of Criminal Justice

April 15, 1992

Time: 3:20 PM

Room 630T

Present (29): Arvind Agarwal, Michael Blits, James Bowen, Dorothy Bracey, David Brandt, Orlanda Brugnola, Lily Christ, James Cohen, Migdalia DeJesus-Torres de Garcia, Jannette Domingo, Janice Dunham, Elisabeth Gitter, Lou Guinta, Suzanne Iasenza, Karen Kaplowitz, Sondra Leftoff, Tom Litwack, Rubie Malone, Jill Norgren, Dagoberto Orrantia, Lydia Rosner, Douglas Salane, Olga Scarpetta, Timothy Stevens, Charles Stickney, Antoinette Trembinska, Howard Umansky, Martin Wallenstein, Carl Wiedemann

Absent (11): Arvind Agarwal, Haig Bohigian, Philip Bonifacio, Luis Cuevas, Robert Fox, Robert McCrie, John Pittman, Mary Regan, Edward Shaughnessy, Candice Skrapec, Jerome Storch, Agnes Wieschenberg

AGENDA

1. Announcements from the Chair & budget update
2. Approval of Minutes #73 of ~~the~~ March 26 meeting
3. Proposed resolution on the proposed Early Retirement Initiative
4. Discussion about Provost Wilson's directive on released time
5. Election of at-large members of the 1992-1993 Faculty Senate to the College Council as at-large Council representatives for the 1992-1993 academic year
6. Discussion of issues involving fire safety. Invited Guest: Security Director James Scully
7. Discussion of the agenda of the April 16 College Council
8. Discussion of the College's response to hate literature
9. Proposed resolution on student evaluations of the faculty: Senator Trembinska
10. Reports from committees (written)
 - a. Town Hall Meeting: Senator Stickney
 - b. Middle States: Senator Rosner
11. New Business

1. Announcements from the Chair & budget update

In addition to written announcements [Attachment A], President Kaplowitz announced that Rian Keating has won a Belle Zeller Scholarship. The last time a John Jay student won the prestigious CUNY scholarship was when Rick Richardson won in 1988. She noted two happy connections. First, Rick

Richardson, who is now an adjunct at John Jay, has just been elected to next year's Faculty Benate as an at-large adjunct representative. Second, Rian Keating is one of the three John Jay students who, along with three John Jay faculty, is a named plaintiff in the CUNY equal protection lawsuit.

President Kaplowitz also announced that the John Jay Alumni Association has just mailed a check for \$2,000 in response to the fundraising campaign by the Legal Action Committee of the CUNY Concerned Faculty and Staff, which must raise approximately \$50,000 for the CUNY equal protection lawsuit filed on February 26. She praised the leadership of Alumni Director Al Higgins and the responsiveness and generosity of the Alumni Association Executive Board, which approved the \$2,000 contribution. She said that John Jay's alumni association is the first in CUNY to contribute to the lawsuit and that her colleagues on the legal action steering committee hope that the alumni associations of their colleges will follow John Jay's example.

She invited the faculty to support the lawsuit by contributing to it. Senator Gitter asked for a clarification of the fact that checks are to be made payable to the Center for Constitutional Rights (CCR) but are to be mailed to the CUNY Concerned Faculty and Staff. It was explained that by making the check payable to the Center for Constitutional Rights, the contribution becomes tax deductible. And by mailing the check to the CUNY Concerned Faculty and Staff (at the address of a member of the legal action steering committee who is co-chair of the Concerned Faculty and Staff), the legal action committee can keep track of the contributions raised specifically for the lawsuit and, thus, keep an accounting of the monies owed to CCR.

President Kaplowitz reported that she met with Provost Basil Wilson after the last Faculty Senate meeting to discuss the Faculty Senate's resolution on the Provost's plan to move faculty between departments. She reported that Provost Wilson is not proceeding with his plan to reassign history faculty to teach in the government department. She said he was very responsive to the Senate's concerns and said that he concurs with the Senate's position.

She then discussed two specially scheduled meetings of committees of the Board of Trustees which were held two days earlier on April 13 and which she attended: the Fiscal Affairs Committee, and the Faculty, Staff, and Administration Committee. Every item that appears on the agenda of a Board of Trustees meeting must first be approved by majority vote of the appropriate Board committee. The next Board of Trustees meeting is April 27.

At the April 13 meeting of the Board Committee on Fiscal Affairs, the Committee was asked by the Chancellor to approve a resolution declaring a state of fiscal exigency at all the senior colleges so that the Board could approve a declaration of fiscal exigency at its April 27 meeting. Vice Chancellor for Budget and Finance Richard Rothbard explained that fiscal exigency was being requested for all the senior colleges even though only eight of the 11 presidents of senior colleges had said that they will need to retrench. (Retrenchment can occur at CUNY only upon a declaration of fiscal exigency by the Board: such a declaration permits the firing of

instructional staff whose appointments are in effect and the breaking of tenure.) The faculty member of the Committee, Professor Bernard Sohmer (Mathematics, CCNY), and the chair of the University Faculty Senate, Professor Robert Picken (Foreign Languages, Queens), questioned why fiscal exigency was being declared on all the senior colleges when not all of the senior college presidents had asked for such a state to be declared for their colleges. (Late in the committee meeting the two colleges were identified as John Jay and the College of Staten Island, as well as the Graduate School, which is part of a consortium). Vice Chancellor Rothbard explained that the Chancellor and members of the Chancellory do not agree with the assessment of those presidents: they do not agree that those colleges will necessarily be able to avoid retrenchment. Deputy Chancellor Mucciolo said that the analysis by the Chancellor and by the Chancellory is that there is a possibility of retrenchment at all 11 campuses.

President Kaplowitz read from the retrenchment guidelines, pointing out that it specifies that the trigger for a declaration of fiscal exigency are to come from the college presidents: "When the President of a college, in consultation with her or his appropriate faculty committee(s) foresees budgetary and/or financial difficulty the magnitude of which suggests the possibility that these guidelines may need to be invoked, then she/he shall so inform the Chancellor." When this was pointed out, the Vice Chancellors reiterated that the University does not feel that these presidents are necessarily correct. It was also pointed out that if retrenchment needs to take place in July at those colleges that have not asked for retrenchment, the Board will not have to be called into special session to declare fiscal exigency: it will already be in place. The Chair of the Board's Fiscal Affairs Committee at one point suggested that perhaps fiscal exigency should be declared on only the eight colleges whose presidents asked for it, to avoid possible litigation, but Vice Chancellor Bloom did not think this was necessary. At the Committee meeting were Chancellor Reynolds, Deputy Chancellor Mucciolo, Vice Chancellors Rothbard, Bloom, Hershenson, and Committee members: Trustees Tam, Bloom, Howard, Everett, Picken, and Professor Sohmer. Also present were Professor Sandi Cooper, vice chair of the UFS, and Professor John Donoghue of NYCTech, alternate faculty members on the two Committees.

Since the retrenchment guidelines state that the president of each college must first consult with the "appropriate faculty committee(s)" before deciding whether retrenchment is necessary, Professors Picken and Sohmer questioned whether this had been done by every president and Professor Sohmer said that it had not been done at CCNY where the appropriate faculty body is the Faculty Senate. Vice Chancellor Bloom said that the presidents were told to consult and asked the two faculty representatives to ascertain which presidents did consult and which did not and to report back with this information to the Chancellory. They promised to do so.

President Kaplowitz explained that when the Board passes a resolution declaring a state of fiscal exigency, then each College will have to set up a Retrenchment Committee. She read the description of the membership of each college's retrenchment committee from the Board's Retrenchment

Guidelines: "Following Chancellor and Board actions as outlined in I above, the President shall convene an ad hoc College-wide Committee, which shall be designated by the President and shall include representatives of appropriate constituent groups including College Personnel and Budget Committees, other teaching and non-teaching members of the instructional staff, including those currently serving as elected members of existing college bodies, members of the non-instructional staff, students, the **Affirmative** Action officer and administrators of the College.

She noted that what was stated at the Committee is somewhat different from the picture being presented to us by President Lynch who has announced that John Jay will not need to retrench. She also reported that Provost Wilson acknowledged today to the Budget Planning Committee that John Jay would, in fact, have a deficit by the end of the year.

The Chancellor reported to the Fiscal Affairs Committee and to the Faculty, Staff, and Administration Committee that she is working very strenuously to convince the Governor and the Legislature to pass a new early retirement plan, and that without early retirement 500 full-time faculty and staff will have to be fired.

President Kaplowitz said that after the Committee meetings she had asked the Chancellor if it would be helpful if the Faculty Senates at each college passed resolutions supporting an early retirement initiative. The Chancellor said it would be very helpful, especially if it were directed to the Governor who is opposed to another ERI, and if the resolution stated in stark terms the alternatives to early retirement. Therefore, a proposed resolution on early retirement is on today's agenda for action by the Senate.

President Kaplowitz noted that the Chair of the Faculty, staff and Administration Committee, Trustee Harold Jacobs, suggested that the Legislature might not approve an early retirement initiative if CUNY has already placed fiscal exigency status on the senior colleges and has begun the steps toward retrenchment. Chancellor Reynolds said that this is true but that legally the University must declare fiscal exigency because CUNY will not be able to meet its payroll if ERI is not passed, because of the enormous cuts in the budget of CUNY's senior colleges by the Legislature. President Kaplowitz said that on the one hand it is clear that Chancellor Reynolds is hoping that the declaration of fiscal exigency will provide sufficient pressure on the Legislature and the Governor that they will approve an ERI; on the other hand, if there is no ERI, it is clear that retrenchment will take place at CUNY. She said that many people are convinced that the articles in the New York Times and other newspapers about retrenchment were placed by 80th Street but that the budget crisis is no less real for that.

Senator Trembinska noted that the last time fiscal exigency was declared for John Jay and NYC Tech, in August, no Retrenchment Committee was formed at John Jay. She asked when should such a committee be formed. President Kaplowitz said that no committee is to be formed until after April 27 when the Board of Trustees meets. If the Legislature, which goes back into session on April 21, passes ERI, then the state of fiscal exigency will presumably be lifted (if enough

people take early retirement) and retrenchment committees would not be needed. She said she check what the other colleges are doing.

Senator Norgren asked about the CUNY policy on retrenchment that had been handed out at today's meeting and asked the source of the document which is numbered pages 236-243. President Kaplowitz said that the retrenchment guidelines were photocopied from the CUNY Manual of General Policy. She said that each president and each Library has a copy. Vice President Dunham said she would check John Jay's Library and report back. [Ed. The Library's copy is in the 'Special Collection Division.'] President Raplowitz explained that the first retrenchment guidelines, developed in 1976, drew an MUP censure against CUNY. The guidelines were amended in 1983, with the full involvement of the University Faculty Senate, and the AAUP censure was lifted. Now, the first time that fiscal exigency is being declared on a large portion of the University, the Chancellory tried to amend the guidelines, in ways that would have been detrimental to the faculty and would have incurred another AAUP censure.

Although the guidelines are being amended, the drastic amendments that had been proposed as late as Friday, April 9, have been withdrawn. On Friday, the Council of Elected Faculty Governance Heads met (this is the University Faculty senate's executive committee and the heads of the CUNY faculty senates). The proposed amendments were reviewed. The most substantive change was that if a department is shut down, tenured faculty would receive 60 days notice, instead of the year notice otherwise given to retrenched tenured faculty. The Council unanimously rejected such a change and called on the Board to retain the guidelines that have been in place since 1983. Between Friday and Monday, UFS Chair Picken and PSC President Irwin Polishook negotiated and lobbied and succeeded in having the 60-day notice changed to the following: tenured faculty in a department that is shut down will be given first preference for vacant tenure-bearing lines in other departments in their own college for which they are qualified to teach. If they are not hired by the P&B of another department, they are to receive a year's combined notice and lump-sum salary (for example, 60 days notice and the other 10 months salary in the form of a lump-sum payment.)

There are four or five departments that are already targeted to be shut down throughout CUNY, involving 20 to 25 full-time tenured faculty. All or almost all are classics and foreign language departments and the reason being given for closing them is that these departments have few students majoring in the discipline and their courses draw few students. (To shut a department, the Academic Affairs Committee of the Board has to approve the action for consideration by the Board of Trustees and then a majority of the members of the Board has to vote to close it.)

The other amendments to the retrenchment guidelines include the specific naming of centers and institutes as "retrenchment units." Under fiscal exigency, entire units can be retrenched; or some members of one unit can be retrenched while no members of another unit are retrenched and, therefore, what constitutes a retrenchment unit is important.

President Kaplowitz said that she would obtain copies of the amendments of the retrenchment guidelines for the next Senate meeting.

President Kaplowitz pointed out that the College's retrenchment committee could decide that no retrenchment is necessary and could make other recommendations. However, the report of the retrenchment committee has to be submitted to the Chancellor who must approve it.

Senator Stickney asked if the faculty in the departments targeted for closing could be reassigned. President Kaplowitz said that any vacancy in their own college had to be offered to retrenched faculty before it is offered to others. But this is only within one's college and it is for vacant positions for which the person is qualified. substitute positions can not be created for such people. She reported that Professor Sandi Cooper, a member of the Faculty, Staff, and Administration Committee, which was asked to approve the amendments to the retrenchment guidelines, had urged the creation of a CUNY-wide list of available positions and aggressive notification to retrenched faculty of CUNY positions. Professor Cooper noted that when faculty were retrenched during the 1976 fiscal crisis this was not done, partly because everyone was so traumatized. She suggested this be put into place before the trauma sets in.

Senator Cohen asked about the dollar amounts involved. President Kaplowitz explained that there is a \$92 million cut to the senior colleges: \$53 million is to be restored through a tuition increase and the additional \$40 million is, according to the Chancellor, really closer to \$52 to \$55 million because the Legislature not only cut CUNY's budget but did not fund such things as money for leases on CUNY buildings, money for the CUNY security initiative (which requires several million dollars), etc. The Chancellor said that without ERI and without additional funding, 500 full-time faculty and staff will have to be retrenched at the senior colleges.

President Raplowits reported that the Board Fiscal Committee was also asked to approve a novel tuition increase proposal: all current students and any person who has ever been a CUNY student will receive an annual tuition increase of \$350 beginning June 1. The tuition for new students (those who never previously attended CUNY) will be increased \$600 annually at the senior colleges but those students will be given free tuition in their final semester if they are receiving a baccalaureate degree. (If a student's declared last semester proves to not be a last semester, the student will be charged full tuition in each subsequent semester.) The Chancellor said that if a student graduates in twelve years or fewer, the free final semester will mean that she or he will be paying less over the course of the college education than students who are being given a \$350 tuition increase. Chancellor Reynolds said the proposal is designed to motivate CUNY students to graduate. The tuition at the community colleges will be raised by \$350 for all students.

Senator Blitz asked if there had been proposals to retrench the administration as well as the faculty. He said that this might be the time to begin the demand to end the executive pay plan. President Kaplowitz pointed out that

only the Board of Trustees could do this. But retrenchment committees could recommend removing people from the executive pay plan and could recommend retrenching anyone, including administrators, if there is a suitable rationale. When reminded that President Lynch was to be invited to today's Senate meeting to discuss the budget, President Kaplowite explained that President Lynch is not available because he is in Russia, with several other members of the college.

Senator Brugnola asked, in light of this budget news, about a newly posted announcement for an administrator to be "Coordinator of Student Activities" with a salary range of \$23,035 to \$41,080. President Kaplowite said that President Lynch had announced such a position but had said that \$12,000 had been voted from non-tax levy monies by the Auxiliary Services Corporation (an administration, faculty, and student body) and that another \$12,000 would be allocated from other non-tax levy monies. Senator Brugnola said that the posted notice is headed with the words "full-time tax levy position" and she provided a copy of the notice. The notice specifically states that the rank is "Assistant to Higher Education Officer," which means it is a position paid for from tax levy monies. President Kaplowits said she would find out what she could. [Ed. It was subsequently learned that the position is a tax-levy one but only those who are already on a full-time tax-levy line at John Jay are eligible to apply; thus, no new person is being added to the payroll.]

Senator Brandt asked if there had been any projection of loss of students as a result of increased tuition. President Xaplowitz said that CUNY has experienced enrollment increases every time tuition has been raised. Tuition is usually raised when the economy is shaky and at such times many people return to college or begin college because they have lost their jobs or can not find employment.

Senator Norgren noted that at the last P&B meeting, President Lynch had reported that the College was in reasonably good shape. However, Mr. Sermier did note that there are some budget problems. The President reported to the Budget Committee that the Presidents were told that at every college, each student lost would result in a decrease in the college's budget of \$2300 but for every student gained \$2300 would be added to the budget and if there were a very significant gain in enrollment the college would gain a bonus in adjunct money. President Kaplowits added that Mr. Sermier reported that John Jay has been responsible for 60 percent of the increased enrollment among the senior colleges. She also reported that the President asked the PLB to support a new satellite program for firefighters (and civilians) on Randalls Island. President Kaplowits said that, on one hand, this is a very positive development and is a positive response to the Senate's March 13 resolution asking for a strategy to be developed by the administration to increase the number of in-service students at John Jay. On the other hand, the \$230,000 windfall being anticipated from this program was the topic of some dissension at the P&B. Faculty members urged that the money be used to hire full-time faculty. The Provost said that the money would go into the academic budget but the President refused to commit the funds to hiring full-time faculty.

senator Norgren asked President Kaplowitz for her

perception of the University's commitment to the issue of administrative bloat. President Kaplowitz responded that the UFS is interested in this, that Professor Robert Picken, the Chair of the UFS, raises it at virtually every Board meeting, but that 80th Street does not seem terribly concerned. Senator Norgren responded that perhaps some lobbying is in order. Senator Guinta noted that when the Senate's Fiscal Committee looked into this they found there has been very little change in administrative levels. Senator Norgren pointed out that at the same time there has been a dramatic decrease in the number of faculty.

President Kaplowitz then reported that Vice President Roger Witherspoon has asked her to help recruit faculty to participate in the freshmen orientation program, noting its importance in retaining students. She told the Benate that she had offered, unless there are objections from the Senate, to co-sign a letter with VP Witherspoon urging faculty to participate. Senator Gitter asked what is it that faculty do at freshman orientation: she said that she does not feel qualified to provide orientation and speculated that others probably feel the same way. Senator Malone explained that the new students are divided into groups of 20 and are assigned to a classroom with a faculty member and a volunteer student orientation leader, both of whom receive training. The faculty review the academic programs and the importance of taking required courses, etc., and answer questions. Senator Gitter suggested that this information be included in the letter to the faculty. Senator Guinta pointed out that faculty involved in these sessions are the students' first exposure to the College and that they can set a terrific and invaluable tone for the College and for the students. Senator Norgren asked if the orientation and training dates are frozen since the ones scheduled are very inconvenient. Senator Malone noted that these dates are atypical and that other dates would be scheduled more conveniently if possible. It was agreed that a letter would be co-signed by the president of the Senate.

2. Approval of Minutes #73 of the March 26 meeting

By a motion duly made and carried, Minutes #73 of the March 26 meeting of the Senate were approved.

3. Proposed resolution on the proposed Early Retirement Initiative [Attachment B]

The proposed resolution [Attachment B] was moved and seconded. President Kaplowitz said that although early retirement had been discussed earlier in the meeting, she wanted to add the fact that SUNY is now joining CUNY in supporting early retirement legislation. The early retirement plan being proposed by CUNY provides eligibility to people who are 50 years of age or older with at least 15 years of service. Senator Litwack praised the language of the resolution. The question was called. The resolution was approved by unanimous vote.

a. Discussion about Provost Basil Wilson's directive on released time

President Kaplowitz drew the Senate's attention to a memorandum, dated March 24, 1992, from Harriet Gorran, of the office of the Provost, to the Department Chairs:

"The Provost has asked me to inform you that due to financial uncertainties for the 1992-93 academic year, he has suspended use of banked time and accumulated independent studies/dissertation supervisions for released time."

Although the Council of Chairs has taken up the issue it was agreed at the Budget Planning Committee that the Faculty Senate should also do so, and should specifically address the issue of released time earned through independent study, since the Senate had developed and negotiated the proposal whereby faculty receive compensation of three credits of released time for every 10 independent study courses taught. The Faculty Senate's proposal for compensating faculty for teaching independent courses was approved by the College Council during the Spring 1990 semester. The Faculty Senate's February 16, 1990, document, approved by the College Council is prefaced by the following statement:

"At John Jay, faculty receive no compensation for teaching Independent Study courses. The following proposal, presented for adoption by the College Council, was approved by unanimous vote of John Jay's Faculty Senate on February 7, 1990. The proposal was developed by the Faculty Senate, the Professional Staff Congress, Dean Frank McHugh, and Provost Jay Sexter, and was endorsed by the College Council Executive Committee."

Provision #10 of the Senate's proposal, developed after negotiation with all those named above, is part of the document approved by the College Council:

"10. If at some time in the future the College determines that there is a need to review this Independent Study course policy, the Faculty Senate shall be so informed, and changes shall take place only after negotiation with the Professional Staff Congress/CUNY. Under no circumstances shall faculty members lose accumulated Independent Study credits toward compensation."

President Kaplowitz said that she met with Provost Wilson earlier that day in the hopes of resolving this without having to bring the issue to the Senate. But the Provost said his interpretation of the independent study document is that provision #10 simply protects faculty from losing accumulated credit and does not speak to the issue of drawing on earned released time. She noted that the Senate had not thought that every loophole had to be addressed in this document and that there had been real support from the then Provost, Jay Sexter, and from President Lynch, both of whom agreed that faculty should receive compensation for teaching independent study courses.

She reported that Provost Wilson said he will ask

President Lynch to support his decision to rescind most released time and to freeze banked and accumulated released time. She reported that she alerted the Provost to what she anticipated would be the faculty's universal opposition to this and the Provost said he understands that there will be opposition.

Senator Norgren said that she felt frustrated with such a discussion since there has been no discussion of sacrifices being made by the administration. Senator Litwack felt that this is an issue that faculty should pursue in the courts. He also said that as long as there is any soft (non-tax levy) money available, there is money to hire adjuncts to replace faculty who receive released time. Senator Litwack added that it would be appropriate for the Provost to ask faculty to voluntarily defer drawing upon banked or accumulated released time but that it is not appropriate for him to summarily make it unavailable to faculty who have earned released time or who have deferred banked time.

Senator Rosner reported her understanding that the Chairs have decided to delay handing in their department's fall teaching schedules to protest the Provost's decisions. President Kaplowitz said that the Chairs have decided that they cannot devise their department's teaching schedules without knowing how much released time is being given to each faculty member. The Provost had originally said that he would consult with each Chair about the amount of released time that will be given to the faculty of her or his department and that he would also consult with each individual faculty member who has traditionally received released time for such activities as program coordinator, before a final decision is made. But not all of these consultations have taken place to date. The Chairs do not agree with the Provost's assessment as to the amount of money that needs to be cut from the academic budget and, therefore, feel it is premature and, indeed, impossible to develop next semester's schedule. Ms. Gorran's memo includes the schedule of dates and the date listed for submitting completed fall teaching schedules is April 16. The Chairs have decided to aim for April 30 as the date they will submit their schedules and have scheduled a special meeting of the Council of Chairs for the end of April.

Senator Wallenstein reported that the Provost had also unilaterally decided that speech classes are to be expanded to 30 students from 26, although no other CUNY unit has speech classes with so many students. He said that it is impossible for students in a speech class to have the time to make their oral presentations and to be critiqued if the class size is increased. President Kaplowitz said that this had been another issue discussed by the Chairs and that Foreign Language classes are also being increased in size.

Senator Norgren said that with regard to released time, she is prepared to press the case legally. President Kaplowitz said since the chairs are working on strategies to make the necessary cuts in the budget so that released time may not have to be cut or frozen, she suggested that a resolution from the Senate would be appropriate and said she would report such a resolution to the Provost and to the Chairs.

Senator Norgren moved the following resolution: "The Faculty Senate rejects the Provost's suspension of both banked time and earned released time and affirms the faculty's absolute right to banked time and earned released time." Senator Litwack seconded the motion. The motion was approved by unanimous vote.

Senator Wallenstein urged the Senate to pass a motion in support of the actions of the Council of Chairs, especially so that class size can be protected. Senator Guinta felt that the senate needs to study this matter carefully before proceeding.

Senator Domingo explained, as a member of the Council of Chairs, that the sense of the Chairs is that a better understanding of the financial issues is necessary before any decisions can be made. She said that the Chairs have not taken a position about class size but rather about the necessity of having more information about the budget so that decisions about the allocation of resources can be made in an informed and fair way. She said that other concerns, such as class size, are premature before we have found out more about the budget.

Senator Rosner pointed out that one of the things that has emerged in the Middle States self-study is the lack of planning at the College. Senator Leftoff asked about the term @*academicbudget" and asked what it includes. Senator Domingo explained that it includes faculty, but also such facilities as the Microcomputer Center that directly support the academic side of the College. She said the Chairs are traditionally concerned that the academic budget not be savaged without considering the entire budget. Senator Leftoff said she is concerned that an undue focus is being placed on the academic budget, rather than on the overall College budget, and that this highlights the lack of consultation between administrators and the elected faculty bodies, such as the Faculty Senate and the Council of Chairs.

[Ed. Subsequent to the Senate's deliberations and unanimous approval of the motion on this issue and after meeting with the Senate president and with the Budget Planning Committee, Provost Wilson has agreed to the policy whereby faculty will be asked by their department chair to voluntarily defer banked and earned released time. Thus, there will be no freeze on banked and earned released time.]

5. Election of at-large members of the 1992-1993 Faculty Senate to the College Council as at-large College Council representatives for the 1992-1993 academic year

Under the new College Council structure and the Charter amendments that were developed, each academic department is allocated one College Council seat which is to be filled by a full-time faculty member elected by the department. There is a total of 28 faculty seats on the new College Council and there are currently 20 departments. The Faculty Senate can elect from among its at-large members as many as eight senators to serve on the College Council. A list of the 1992-93 at-large representatives to the Senate was distributed [Attachment A]. All 15 at-large senators have

been invited to stand for election to the College Council and five have agreed to be nominated to the College Council and to serve if elected. The five are:

Orlanda Brugnola (Art, Music, Philosophy) [adjunct]
Karen Kaplowitz (English)
Tom Litwack (Psychology)
Rick Richardson (Sociology) [adjunct]
Olga scarpetta (Sociology)

Senator Wallenstein presented a notion moving the five at-large senators as a slate for election to the College Council by the Faculty Senate. The motion was seconded. The five were elected by unanimous vote.

Because there are NOW 28 faculty seats on the College Council, and there are currently 20 departments, and the Senate has just elected five representatives, the result is that three extra seats exist and they are to be allocated to the three largest departments, which will each receive a second seat. The Charter states that the size of departments is determined by the number of full-time faculty plus half the number of adjuncts, as of the September 1 prior to elections. Thus, the three departments that are to receive a second seat are: English; Law, Police Science, and Criminal Justice Administration; and Mathematics. President Kaplowitz said she would communicate this to the office of the Provost so that those departments that will receive a second seat on the College Council next year can be so informed.

6. Discussion of issues involving fire safety: Invited
Guest: Security Director James Scully

Security Director James Scully was welcomed to the Senate. He expressed his appreciation at being invited. He reported that at the most recent meeting of John Jay's fire wardens there was an expression of considerable unhappiness and concern about the unwillingness of some members of the faculty to participate in fire/evacuation drills. He explained that he had told the wardens to henceforth report the names of such faculty to him and that he would send the names of those faculty to the appropriate Chairs and to the Provost. He said that he is considering calling in the Fire Department to monitor future drills if nothing can be done to alleviate this problem. He explained that the Fire Department issues warrants to people who refuse to participate because it is against the law to interfere with fire/evacuation drills,

Mr. Scully said that at the suggestion of the president of the Faculty Senate, he had his office prepare a packet of maps of North Hall, floor by floor, showing the fire alarms, as well as evacuation routes for each floor of T Building. He distributed the material to the Senate. He explained that in North Hall all doors except the Lobby doors are locked and that they can be unlocked only by pulling a fire alarm. Therefore, it is essential that everyone know the location of each fire alarm. Besides the alarms distributed throughout the building, there is a fire alarm next to each of the three locked doors (by Barnes & Nobles; at 60th Street; and by the Foreign Languages Department on 59th Street). Although those

fire alarms, and the others throughout North Hall, will unlock the doors and will set off a loud alarm, they are not connected to the Fire Department. To alert the Fire Department, it is necessary to telephone or to pull the alarm on the southwest corner of 59th Street and 10th Avenue (just outside T Building). On the other hand, in T Building, the fire alarms, which are next to every stairway, are connected to the Fire Department. Furthermore, in T Building, doors (such as the one leading to 58th Street from the Atrium) will automatically unlock when a fire alarm is pulled: upon being pushed, the crash doors will open if an alarm has been sounded.

Mr. Scully spoke about the importance of always knowing evacuation routes and the placement of exits and fire alarms, not only at John Jay but in every building one enters. Senator Rosner commented that this was the first time that she had ever received diagrams of John Jay buildings and said she appreciated having them. Senator Blitz said that one day President Kaplowitz and Mr. Scully came to his North Hall office and they asked him, as a quiz, the location of the fire alarm closest to his office. When he admitted that he did not know, they showed him that it was just outside his door, on the wall (at head level) next to his office door. President Kaplowitz said that she had not known it was there either, even though she regularly goes to Senator Blitz's office, until she and Mr. Scully scouted out the fire alarms.

Mr. Scully noted that all stairwells lead to exits and that during drills (or evacuations) faculty and their students should proceed to the nearest stairwells and to the exits that they lead to rather than use the central staircases and the main exits.

President Kaplowitz asked the Senate what role the Senate should play in providing a leadership role for the faculty. Senator Litwack asked if Mr. Scully is telling the Senate that some faculty are not participating in fire drills by not leaving the building. Mr. Scully explained that worse than that, some faculty refuse to permit their students to participate in drills because to do so would disrupt the class. They actually forbid their students from leaving the classroom. He cited the law that makes it illegal to refuse to participate in drills and added that one never knows what is a drill and what is a dangerous situation requiring evacuation from the building. Furthermore, it is impossible to know how successful the College's evacuation plans are if everyone does not participate in the drills.

Senator Litwack said he finds it incredible that there are faculty who refuse to let their students participate. Several senators said that they have witnessed this and have gone into classrooms urging students and the instructor to leave because there is no way of knowing whether the alarm is signaling a drill or a real fire or other emergency situation. Other senators also reported that students had complained to them about faculty who ordered them to stay in class while fire alarms were ringing. Mr. Scully spoke of the faculty's legal and moral responsibility to see that their students evacuate the building. He also suggested that faculty should, if possible, do head counts outside the building to make sure all their students have gotten out. He said that faculty who do not participate and who forbid their

students from leaving can not only be fined but if anything happened they could be held liable for harm that might ensue.

Senator Litwack suggested that President Kaplowitz, on behalf of the Faculty Senate, write a letter to the faculty informing them of their legal and moral responsibilities and urging compliance in the strongest terms. There being no objection, President Kaplowitz said she would write such a letter on behalf of the Senate. Mr. Scully expressed his support of such a letter being sent by the Senate. [See Attachment C for the text of the letter sent to the faculty.]

Vice President Dunham asked what faculty should do if they have a student who uses a wheel chair or who cannot use the stairs for whatever reason, since elevators are not to be used when there is a fire. Mr. Scully explained that North Hall, which is not sprinkled, has "Safe Rooms" on each floor: Room 2400, Room 3326, and Room 4101. Students should go or be escorted to those rooms, which have insulation that will keep them safe from fire for three hours; furthermore, each room has windows, in case evacuation has to be done in that way; security personnel, fire wardens, and fire personnel will go to the Safe Rooms to evacuate the people there. There are no Safe Rooms in T Building, which is sprinkled. Both buildings have evacu-chairs, although he acknowledged their drawbacks. The evacu-chairs in North Hall are in the Career Office on the third floor office and in the first-aid room (in the Lobby). In T Building, the evacu-chairs are in the Security Office, in the Athletic Cage, and in the Office of Publications.

Senator Gitter urged further discussion on this urgent matter at another Senate meeting. She said she would like another opportunity to raise questions and get information. She said she had not realized how little she knows and how much she should know and said that this is undoubtedly true of other faculty. President Kaplowitz said that she felt the same way when she and Mr. Scully spoke after the fire wardens meeting to which he has made reference and said that it is clear to her from the reaction of the Senate that this is a universal response. She added that all of us have had our consciousness raised by the CCNY tragedy when nine people died in December.

President Raplowitz explained that Mr. Scully had put off this term's fire/evacuation drill until after meeting with the Senate, in the hopes that the Senate could provide leadership to the faculty. She suggested that the Senate invite Mr. Scully back to the Senate as soon as the fire/evacuation drill has taken place so that the Senate and Mr. Scully could critique the drill and evaluate faculty participation and the participation of others, including the fire wardens.

She asked the Senate whether the 16-page packet of floor plans and evacuation routes put together by Mr. Scully and his staff should be attached to the minutes, or sent to each member of the faculty with a letter, or printed in "The Week of." Senator Litwack pointed out the lack of lettering of stairwells on the diagrams and other omissions. Senator DeJesus-Torres de Garcia noted that the North Hall floor plans need updating. It was agreed that Mr. Scully and his staff would further refine the documents and that the Senate

would decide how to disseminate them when Yr. Scully returns after the fire/evacuation drill.

senator Gitter asked Mr. Scully if he would come to department meetings. Mr. Scully said that is a good idea and that he will go anywhere he is invited or welcome because this is so important a matter.

10. Reports from committees [Attachment D]

a. Town Hall Meeting: Senator Stickney [Attachment D]

Senator Stickney, chair of the Senate's Student Concerns Committee, provided his Motes on the April 7 Town Meeting on the topic of "What should our priorities be as a College?"

b. Middle States: Senator Rosner

Senator Rosner, the Faculty Senate's representative on the Middle States Steering Committee, presented the Senate for informational purposes with the report by John Jay's office of Institutional Research on the results of the student survey conducted for Middle States, she also provided the Report on Publications, written by the Middle States Committee on Publications, chaired by Professor Shirley Schnitzer (English). Copies of both reports are available from the executive officers of the Senate.

Upon loss of a quorum, the meeting was adjourned at 5:15 PM.

Respectfully submitted,

Timothy Stevens
Recording Secretary

Announcements from the Chair

1992-1993 Faculty Senate at-large representatives elected

The following 13 full-time faculty were elected as at-large representatives to the Faculty Senate for the 1992-1993 academic year from among 22 candidates:

James Cohen (Public Management)
Peter DeForest (Science)
Bob DeLuca (Counseling and Student Development)
Betsy Gitter (English/TSP)
Lou Guinta (Communications Skills)
Karen Kaplowitz (English)
John Kleinig (Law and Police Science)
Tom Litwack (Psychology)
Rubie Malone (SEEK)
Jill Norgren (Government)
Lydia Rosner (Sociology)
Olga Scarpetta (Sociology)
Antoinette Trembinska (Mathematics)

The following two adjunct faculty were elected to the Faculty Senate as at-large representatives from among six candidates:

Orlanda Brugnola (Art, Music, Philosophy)
Rick Richardson (Sociology)

Unveiling of Sandro Chia paintings at JJ

The Italian artist Sandro Chia is donating two paintings to John Jay. The paintings will be unveiled at a reception this spring, the date to be announced.

Reception for JJ arad recently elected to the City Council

Antonio Pagan, who received his MA in Criminal Justice from John Jay and who has taught as an adjunct here, was elected in November to his first term on the City Council. A reception at 5 PM on April 2 was given in his honor.

President Lynch hosts advisory board breakfast

On March 19, President Lynch hosted a breakfast at the College for members of the John Jay Advisory Board (executives, CEOs, etc. from outside CUNY). Professor Kaplowitz attended, representing the Faculty Senate. President Lynch reported on several projects the College is engaged in, including the St. Petersburg Conference.

ATTACHMENT B

Resolution of the Faculty Senate
of John Jay College of Criminal Justice
on the proposed Early Retirement Initiative
April 15, 1992

Whereas, on April 13, 1992, the Board of Trustees Fiscal Affairs Committee approved a declaration of fiscal exigency for all the senior colleges of CUNY for action by the Board of Trustees at its April meeting, and

Whereas, retrenchment of 500 full-time senior college faculty and staff is being contemplated by the Board of Trustees as a **way** of addressing the severe budget cuts to the CUNY budget, and

Whereas, retrenchment will create a devastating educational and psychological blow to the life and spirit of the University, and

Whereas, the retrenchment of 1976 dealt a terrible trauma to the University, undermining confidence in its academic and financial viability on the part of students, faculty and staff and for prospective students and employees, and

Whereas, those retrenched will in most cases be the most recently hired and will, therefore, primarily be women and people of color, and

Whereas, an early retirement initiative will enable the University to reduce its personnel by voluntary separation from the University, and

Whereas, the Board of Trustees endorsed a resolution supporting an Early Retirement Initiative for CUNY at its March 23, 1992, meeting, therefore be it

Resolved, That the Faculty Senate of John Jay College of Criminal Justice urges the Governor of the State of New York and the Legislators of the State of New York to immediately enact and approve an Early Retirement Initiative for the City University of New York.

-- Approved by unanimous vote April 15, 1992



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

The City University of New York
 445 West 59th Street, New York, N. Y. 10019
 212 237-8000 / 8724

April 16, 1992

Dear Faculty Colleague,

At yesterday's Faculty Senate meeting, Mr. James Scully, John Jay's director of security, alerted the Senate to a situation that greatly troubled the Senate and that must be of concern to all of us who teach at John Jay. He reported that at a recent meeting of the College's fire marshals there were reports that some faculty do not participate in the fire/evacuation drills and that some faculty forbid their students to leave their classroom when the alarms sound. Several members of the Senate corroborated these reports, saying they had witnessed classes that remained in session during drills and some reported that students had complained to them about instructors who had forbidden them to leave class because it was "only a drill."

As faculty, we on the Senate appreciate the importance of covering course material and we are especially sympathetic to the need to keep the day/evening classes parallel in terms of the material taught and discussed. We also understand what it is like to have a scheduled exam or film disrupted. It is because we, as faculty, understand these issues that the Senate hopes that this letter will be effective, especially in light of the information Mr. Scully provided and which is being reported to you here.

Mr. Scully told the Senate that the problem of non-compliance is so serious that he is considering asking the Fire Department to be present whenever there is a drill. The Fire Department will issue a summons to anyone who does not participate. He also said he has directed the fire marshals to send him the names of faculty who do not participate so that he can forward their names to their department chair and to the Provost. (Mr. Scully was invited to the Senate when a member of the Senate, who is a fire marshal, alerted the Senate's executive committee to this issue.)

The Senate directed me to write to the faculty because of the many important aspects of this matter, several of which the Senate was unaware of until Mr. Scully met with us:

- * The State Education Law requires that we all participate in fire/evacuation drills and that we do so by leaving the building immediately. Failure to do so is a misdemeanor as is any interference with others' participation in a fire/evacuation drill.
- * There is no way to know whether an alarm is signaling a drill or whether it is signaling that a fire or other dangerous situation really exists.
- * Fire/evacuation drills in which everyone participates are necessary in order to test and critique the

College's evacuation procedures, including traffic control, speed of evacuation, etc.

- * Faculty can be held liable if they do not permit students to participate in drills: if there is an actual fire or other dangerous situation, and students are harmed because they were not permitted to immediately evacuate the building, the faculty member may be held legally responsible and may be sued. Similarly, if there is a fire or other emergency at a later date and students claim that they were not knowledgeable about evacuation routes because their instructor had not permitted them to participate in an evacuation drill, the faculty member may be held liable.

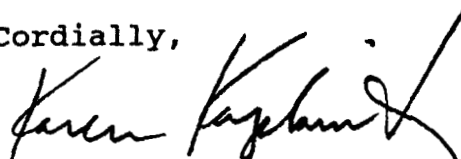
Because of Mr. Scully's report and that of members of the Senate, and remembering the December 28 City College tragedy and the nine people who died that night, the Faculty Senate is very concerned that all of us on the faculty fulfill the legal and moral imperatives that are involved.

In the meantime, Mr. Scully and his staff are refining a 16-page packet of floor diagrams and evacuation routes that was provided to the Senate. The packet will be available shortly. Several points can be summarized here:

- Faculty and students should use the nearest stairways and the exits that they lead to.
- Elevators should never be used because if there is a fire, the elevator doors will open on the floor of the fire (because of the heat generated): people in North Hall who are unable to negotiate stairs should go or be escorted to the "Safe Room" on each floor. These rooms are 2400 N, 3326 N, and 4101 N. They are called "Safe Rooms" because they are specially insulated to protect those inside from fire for three hours. T Building, which is sprinkled (unlike North Hall), does not have "Safe Rooms." Also, evacu-chairs for people who cannot negotiate stairs are situated in the following places: in North Hall in the Career Placement office on the third-floor and in the first-aid room in the Lobby; in T Building, in the 5th floor Security Office, in the Athletic "cage," and in the Office of Publications.
- Be sure that your students understand the importance of immediately leaving not just the classroom but the building. Also, instruct your students to take all their possessions with them: during past drills students returned to their classrooms only to find that their books, jackets, and other belongings had been stolen during the drill.

The full report of our meeting with Mr. Scully will appear in Faculty Senate Minutes #74. Please call if you have any questions or if you wish to discuss this issue.

Cordially,



Karen Kaplowitz
President, Faculty Senate

Town Hall Meeting Notes
by Professor Charles Stickney, Chair
Faculty Senate Committee on Student Concerns

"What Should Our Priorities be as a College?"
Moderator: Alumni Director Al Higgins
April 7, 1992

In his opening statement, President Lynch said that the College's survival is the top priority and that requires an adequate budget. We also have to push for national leadership in criminal justice to help enhance the value of the degrees we confer (67 JJ grads have just passed the NYS bar exam). Disruption of the College hurts our College's image. Despite our students' busy work schedules, we must require high standards. All here should work for others, be humane and considerate. We must balance all these priorities. Pres. Lynch then explained he must leave the Town Hall Meeting to accompany his wife to her physician and said that in his absence Provost Basil Wilson will participate.

Student Council President Francis Ngadi said that our main priority is getting an education and an affordable education. We must keep people from dropping out of College. We must also spend student activity money in the students' best interests.

Pub Santiago, a student, said JJ's administration is violating his civil rights; he said he has been harassed.

Elliot Valentin, student, praised the teach-in during the last takeover and said that many students are again contemplating a takeover: he urged a teach-in now and asked faculty to be invited to participate to talk about the tuition hike and other issues.

Provost Basil Wilson said takeovers exacerbate the problem and do not help anyone. Higher tuition hurts our students and we've fought against these hikes. We're for 'access and excellence' but the takeovers are counterproductive.

Courtney Campbell, student, said he does not receive tuition assistance although he needs it because his salary is too high. He urged that ways be found to get financial aid for those who deserve it rather than for students who just hang out who don't deserve it.

Provost Wilson said increases in Pell grants and TAP may come through.

Mr. Ngadi said too many students take extra courses which they drop when they find out they cannot handle the work and they hurt other students by causing them to be closed out of those course.

Roxanne Cord, a senior, said we need a central unit at JJ to help students with the entire process of applying to law school.

Provost Wilson said that the placement service provides guidance but said we'll look into whether a counselor could be assigned to specialize in giving students advice about applying to law school.

Eugene Durante, student, said he is nervous about student takeovers. Many more students oppose takeovers than are for them.

Mr. Ngadi said he is against takeovers. On April 30 a petition will be circulated against all takeovers. There are new CUNY rules against takeovers and possible legal action against those who participate.

Vice President Roger Witherspoon said that on April 30 JJ will hold a "speak-out" against takeovers. Many students are no longer here who participated in takeovers in the past. There will be suspension and possible arrest of anyone who engages in a takeover in the future. Background checks done by students' future employers may result in students' careers being hurt by engaging in takeovers.

Eugene Durante, student, asked Mr. Ngadi what he is doing to stop takeovers.

Mr. Ngadi said that he and his student government colleagues tell students in private about the serious and unpleasant consequences of takeovers.

Town Hall Meeting Notes (cont.)

Professor Chris Suggs (English), said that as someone who has been away from JJ for three years, he can say that teaching at JJ is terrific but working at JJ is very hard. The heavy teaching load, the lack of support staff, the many crises here -- all these have kept the faculty troubled. We need long-range academic planning by the administration to plan for the next 10 or 15 years and we need the time and resources to do this.

Provost Wilson said that we need both short-term and long-term planning. The Middle States self-study is showing us we need to restructure the associate degree program, we need to improve retention of our students, we need to help the faculty to be reinvigorated, we need to review our core courses such as of History and Literature, and we should create an interdisciplinary Humanities major.

William Tehira, graduating senior, said that ROTC students are treated badly because they are being forced off campus by the Faculty Senate. West Point and FBI programs also bar homosexuals and why doesn't JJ curb those programs and remove them from campus.

Provost Wilson explained that the College Council, not the Senate, is responsible for the ROTC moving off campus.

Professor Karen Kaplowitz, (English and President of the Faculty Senate), said the Faculty Senate did vote to recommend that the College Council remove ROTC and the College Council subsequently took that action because of the non-discrimination policies of NYC and of CUNY. By having ROTC on campus, JJ is in non-compliance with those anti-discrimination policies which prohibit discrimination based on a person's sexual orientation, as well as on the person's race, religion, etc. Those in JJ's ROTC program can attend Fordham's,

Jeff Siliona, student and member of Lambda, said that affirmative action programs are just.

Manuel Tehira, graduating senior, said ROTC should co-exist with Lambda. He asked why the JJ students can't vote on keeping ROTC.

Bernard Julie, student and member of Lambda, said the Department of Defense policy against lesbians and gays should be changed.

A student asked that the African-American Studies Dept. be improved and said that courses taught by Prof. Nuruddin aren't being taught.

Provost Wilson explained that the tough budgets have hurt JJ's ability to develop that department more than we have.

Leonard Debrusso, student in Lambda and CUNY/BA program, said students did cast votes on ROTC through the students' elected representatives on the College Council.

A student urged change in core requirements. History classes teach mostly Caucasian history and so why isn't Black history a core requirement.

Provost Wilson said that what had been 'Western History' is now a 'World History' requirement. JJ is moving from Eurocentric perspectives toward more inclusive focus. There are five students on the Curriculum Committee: students should speak to them about changes.

William Tehira, student, said Federal law and the Defense Dept. are against the inclusion of homosexuals in the armed services.

Ronald Quartimon, Vice President of Student Council, said the Constitution protects minority groups. He also said there is a double standard between the handling of faculty complaints and student complaints: we need to discuss this.

Roosevelt Duncan, student member of Lambda, said if a program is funded by the government it may not discriminate. Lots of good people are lost by this discrimination.

David Hadley, student and member of the Organization of Black Students, said student services, such as the financial aid office, are often closed for two hours during the day: we need people working, especially in the Microcomputer Lab.

Provost Wilson said we now have night hours for many Offices to

Town Hall Meeting Notes - cont.

help students. People are working when the offices are "closed." The staff are inside working. The problem is that our budget is not sufficient. \$1.3 million is being cut next year from JJ's budget: resources are stretched thin.

Dana Gardner, student, said if deans sat in on History classes, they would see the problem.

Manual Tehira, graduating senior, said ROTC is funded by the military not by JJ.

Eugene Durante, student, said communication is complex. We need bulletin boards with information: can we vote in student elections with just our JJ ID?

Mr. Ngadi said all a student needs to vote in the student government election is a JJ ID. By end of spring break there will be electronic bulletin boards in the cafeteria and on 3rd floor and elsewhere.

Vice President Witherspoon said Lex Review has information about elections. The Radio station and fliers are also providing information. He suggested that we should get students out of the cafeteria and into the Town Meetings.

William Tehira, student, said people rip down fliers with information on them. Other discriminating agencies recruit here. It is hypocrisy to remove just ROTC. We should change the Department of Defense policy.

Bob Santiago, student, offered to teach at no charge in the Microcomputer Lab.

Rochelle Young, student, said co-existence with an inclusive curriculum can help.

Provost Wilson noted there are three courses in the core - students have the choice as to which to take - about race and ethnicity. He said he will examine the outlines of History courses to see about inclusiveness.

Len Debrusso, CUNY/BA and Lambda student, said that dispute resolution is his major but that the courses for the major do not provide enough credentials for him to get a job in the field. He said he loves the program and would major in it again but is now frustrated.

Professor Maria Volpe, Sociology and Dispute Resolution Program, said that JJ only offers a certificate in dispute resolution and that is why comparatively few courses are offered.

Mr. Ngadi summarized by saying that the Town Hall Meeting is a forum to raise issues and then we must pursue those issues. We need to work on these issues, not just raise them.

Provost Wilson said that today's Town Meeting has been vital and meaningful. We must focus on the retention of our students. We have had interesting debates here today on ROTC and multi-cultural curriculum.