

## Faculty Senate Minutes #430

February 19, 2015

1:40 PM

Moot Court NB

**Present (34):** Chevy Alford, Adam Berlin, Claudia Calirman, James Cauthen, Kashka Celinska, Marsha Clowers, Artem Domashevskiy, Janice Dunham, Jennifer Dysart, Peggy Escher, DeeDee Falkenbach, Terry Furst, Katie Gentile, John Gutierrez, Maki Haberfeld, Hunter Johnson, Karen Kaplowitz, Maria Kiriakova, Tom Kucharski, Carmen Kynard, Anru Lee, Kyoo Lee, Vincent Maiorino, Xerxes Malki, Jay Pastrana, Edward Paulino, Frank Pezzella, Dainius Remeza, Raul Romero, Raul Rubio, Francis Sheehan, Charles Stone, Staci Strobl, Robert Till

**Absent (10):** Ned Benton, Angelique Corthals, Silvia Dapia, Joel Freiser, Louis Kontos, Ian Seda, Jon Shane, David Shapiro, Dennis Sherman, Daniel Yaverbaum

**Guests:** Professors Jay Hamilton, Paul Narkunas, Davidson Umeh

**Invited Guests:** President Jeremy Travis, Provost Jane Bowers

### AGENDA

1. Invited guests: President Jeremy Travis and Provost Jane Bowers
2. Adoption of the agenda
3. Adoption of Minutes #429 of the February 4, 2015, meeting
4. Announcements & Reports
5. Banked Time and the Provost's Banked Time Balance Initiative
6. Approval of Draft Letter to Chancellor Milliken about John Jay's budget and space needs
7. Nomination and election of the Vice President of the Faculty Senate
8. John Jay's 2015-2020 Strategic Plan – Draft #2
9. The JJ Online Contract that Faculty Are Being Required to Sign

#### **1. Invited Guests: President Jeremy Travis and Provost Jane Bowers**

President Travis asked the Faculty Senate to think about and propose ways to have better communication between him and the Faculty Senate and between his senior administrators and the Faculty Senate. He asked Provost Bowers to address this issue and she agreed with President Travis saying that she, too, would like better communication. Provost Bowers said

that at times faculty members write to her disagreeing with positions the Faculty Senate has taken. President Kaplowitz responded that the Senate takes positions after studying the issues, considering the pro's and cons, the possibilities and impossibilities, and makes informed decisions; she said that not everyone knows the reasons for the Senate's positions but they could: they could and should ask their department representative or members of the Executive Committee or they could attend meetings, as three non-Senators are doing today, or they can read the Senate minutes.

President Travis and Provost Bowers also said that they haven't been invited to Senate meetings as frequently as they would like. By contrast, President Travis praised the meetings his administration has with the PSC Chapter. President Kaplowitz noted that the Labor/Management meetings to which he is referring take place twice a semester, are mandated by the collective bargaining agreement (the contract), last several hours, have a very small number of PSC Executive Committee members participating as opposed to the 44 members of the Senate, and have agenda items submitted by each group to the other in advance which enables focused discussions to take place.

President Kaplowitz added that as President Travis knows, the Senate used to invite him to a Senate meeting every month for many, many years until the 60-minute community hour was established. She noted that the Senate had recommended a 90-minute community hour but President Travis rejected that proposal. She reminded him that when Senate meetings were at 3:30 PM, the meetings were sufficiently long to accommodate discussions with administrators. She said one hour is not enough time for the Senate to discuss and vote on agenda proposals and also have discussions with administrators unless those discussions are about specific, focused topics and are very brief. She noted that the Executive Committee used to meet with President Lynch, President Travis's predecessor, and with his senior administrators, something she has told President Travis in the past when he raised this issue with her directly but he did not follow through on that idea.

Next Senator Adam Berlin read a statement addressed to President Travis about the necessity of additional funding for workload mitigation for the faculty. President Travis said that he would not speak about that topic or any other topic today; the only topic he was willing to talk about is ways to improve communication between him and the Senate and between other administrators and the Senate. Next Senator Tom Kucharski asked about the pressing issue of faculty banked time. President Travis repeated that communication is the sole topic he is willing to discuss at today's meeting. He concluded by asking the Senate to get back to him with suggestions. He and Provost Bowers then left the meeting.

## **2. Adoption of the agenda**

Senator Kucharski moved to change the agenda so that the Senate could discuss the issue of banked time immediately following adoption of the minutes. The motion was adopted.

3. **Adoption of Minutes #429 of the February 4, 2015, meeting.** Approved.

4. **Announcements & Reports**

Copies were distributed of the Governor's legislative mandate requiring every student in every degree program at CUNY and at SUNY to engage in experiential learning. Also distributed was the PowerPoint presentation that Provost Bowers presented at a meeting of the Provost's Advisory Council (PAC) about the actual teaching load of John Jay faculty according to her staff's analysis.

5. **Banked Time and the Provost's Initiative for Reconciliation of Banked Time**

The Senate voted to form an ad hoc group to draft a statement on banked time for the Senate's consideration at its next meeting. Those volunteering to work on a draft statement were Senators Chevy Alford, Adam Berlin, James Cauthen, Kashka Celinska, Jen Dysart, DeeDee Falkenbach, Maki Haberfeld, Tom Kucharski, and Staci Strobl.

It was noted that Provost Bowers is holding an informational meeting on February 26 for all faculty about the banked time crisis and about her announced initiative for banked time reconciliation.

6. **Draft Letter to Chancellor Milliken about John Jay's budget and space needs: Senators Ned Benton and Karen Kaplowitz [Attachment A]**

The Senate discussed the draft letter written by Senators Ned Benton and Karen Kaplowitz [Attachment A]. President Kaplowitz, explaining that Senator Benton is out of town at a conference, explained that John Jay used to be the most inequitably underfunded of the senior colleges but the efforts of the Senate and of the John Jay administration had led the CUNY Central Office to make changes in the base budgets of the senior colleges; the result is that three colleges are now more inequitably underfunded than John Jay among the senior colleges and, therefore, that argument, previously used, cannot be used now.

She explained that Ned Benton had discovered, using the most recent available data, that all the CUNY colleges established before World War II are much better funded than all the CUNY colleges established after World War II, and that John Jay, having been established in 1964, is part of that post-World War cohort of less well funded colleges. The letter argues that the historical fact of a college's date of establishment should not result in inequitable funding and that a student paying the same tuition at one group of senior colleges, those established

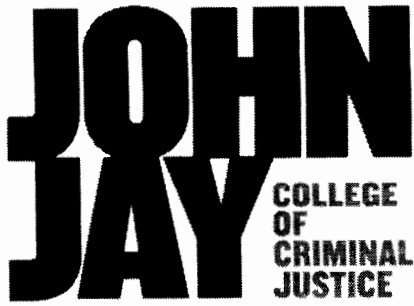
before World War II, should not receive more for their tuition than a student paying the same tuition at a post-World War II established college.

By a motion made and adopted, the Senate approved the letter without dissent: one Senator abstained and all the other votes were in support of the motion to approve the letter and to send the letter to Chancellor Milliken [Attachment A].

**6. Nomination and election of the Vice President of the Faculty Senate**

At the last Senate meeting, the resignation in writing from the Senate and from the position of Senate Vice President by Fritz Umbach was ratified, as required by the Senate Constitution. Senator Schevaletta (Chevy) Alford was nominated and elected to serve as Vice President.

The meeting was adjourned at 3:30 PM.



## ATTACHMENT A

*Karen Kaplowitz, PhD  
President  
Faculty Senate*

*899 Tenth Avenue, Room 229T  
New York, NY 10019  
T. 212.237.8724  
F. 212.472.8806  
kkaplowitz@jjay.cuny.edu*

March 9, 2015

Chancellor James B. Milliken  
205 East 42 Street  
New York, NY 10017

Dear Chancellor Milliken,

We appreciate your invitation to the faculty of CUNY, through your communications to the University Faculty Senate on which the two of us serve, to advise you as you lead our great University. We write with the encouragement and endorsement of the Faculty Senate of John Jay College because we are all concerned for not only our students at John Jay but for all CUNY students.

Based on the University's FY 2014-2015 Allocation Letter, the average student attending a CUNY senior college who pays a dollar to the bursar at a campus will receive \$1.00 of educational services funded through tuition plus an additional \$.83 of services funded through additional tax dollars. However, some students will receive a tax-funded addition of as much as \$1.41 and others will receive an addition of only \$.48.

Table 1, attached as Appendix 1, includes all the CUNY senior colleges and shows the revenue each college is expected to generate, the spending that each campus is authorized, the percent of authorized spending represented by tuition-related revenues, and the tuition dollar subsidy for students at each campus.

We posit the following basic policy assumption: the fund allocations by the Chancellor and ultimately by the Board of Trustees should be transparent, rational, and equitable. We certainly acknowledge that there are reasons why educational services cost more at some CUNY campuses than at others, such as the level and disciplines of the programs and courses offered, efficiencies related to college and program size, and even the site plans and physical structures of the campuses involved.

However, when the Chancellor and the Board of Trustees decide to allocate more tax-levy funding for one student than for another, or more for one campus of students than for another campus of students, the Chancellor and the Board have a legal and fiduciary obligation to provide a transparent, rational, and equitable explanation for the differences.

We believe that the principle of transparent, rational, and equitable fund allocation is central to the effective administration of CUNY. Our public interest in this issue began in the 1990s at which time we were invited to make a presentation to the Fiscal Affairs Committee of the Board of Trustees on the subject of fund allocation by the University to the senior colleges. The presentation made the following points:

- State law authorizes the Board to allocate funds appropriated to CUNY to the campuses, including tuition and fees paid by students as well as additional tax funds appropriated to CUNY.
- The Board is obligated to make allocations in a rational and fair manner so that students in similar disciplines and programs are comparably supported.
- The allocation policy for the community colleges is largely based on enrollment which is a rational and reasonably fair approach for that set of colleges.
- The allocation approach for the senior colleges has been more complex, taking into consideration many factors but, during the years preceding the presentation, achieving results that could be efficiently predicted by only one determinant – historical levels and shares of funding.
- As a result, the levels of fund allocations continued to vary widely between campuses, so that student access to quality instruction and support was significantly greater in some campuses than in others for no apparent reason other than historical tradition.
- Policies and techniques exist that could bring about more rational and equitable resource allocations while respecting the differences in levels and disciplines of courses and programs offered by the senior colleges.

Attending the presentation was the then Baruch College President Matthew Goldstein. At the meeting he expressed strong agreement with our findings and recommendations and he urged the Trustees to make this a priority. During his subsequent years of service as Chancellor much progress was made, largely through the leadership of Vice Chancellors for Budget Ernesto Malave and Matthew Sapienza, but, as we will explain below, more needs to be done.

### **Key Factors Related to Institutional Advancement and Student Success**

A transparent, rational, and equitable resource allocation policy should explain and justify significant differences in resource allocation. We look forward to the day when we can evaluate such a policy, but today, the best we can do is to examine whether there is evidence now of allocation variations that appear inconsistent with such a policy.

In our examination we compare resource allocations across senior colleges, and we also test the hypothesis that past funding inequities persist. For each analysis we have separated results for the CUNY colleges established before World War II and for those established after that war. Following World War II, CUNY grew by adding new senior and community colleges, as well as the Graduate Center. Some of the new campuses were not initially funded on a basis comparable to the pre-war campuses, but all of the new colleges subsequently grew at different rates, and CUNY was faced with a series of challenges and opportunities, and with a relatively inflexible funding model, the result was that levels of funding for the colleges became increasingly disconnected with important indicators of funding needs.

#### **Full-time Faculty**

The availability of full time faculty is a key factor in institutional advancement and development and delivery of high quality instruction. Table 2 (Appendix B) presents the number of full-time faculty members per 1,000 full-time-equivalent students in FY 2002, FY 2012 and FY 2013. This ratio has been very stable over the 11-year period presented. Despite CUNY's best efforts to increase improve faculty-to-student ratios, the ratios have not materially improved because as we added more 38% more faculty members we also added 40% more students. Thus we ended the period basically where we started: 42 full-time faculty members per 1,000 FTE students.

However, the disparity between senior college campuses has narrowed. In 2002, the highest ratio was 77.4 and the lowest was 28.4. In 2013, the highest ratio was 54.1 and the lowest was 34.3. But seven of the eleven campuses had lower ratios in FY 2013 than they had in FY 2002.

As we explained in the 1990s, the disparity in ratios at the time of the presentation was largely based on history-driven funding practices that did not adapt to changes in the colleges involved. We have therefore compared in Table 2 (Appendix B) the senior college campuses that existed before World War II with the post-war senior college campuses.

The table identifies an average difference of 15 faculty members per 1,000 FTE students in 2002, which narrowed to 7.6 in 2013. A difference of 7.6 faculty members per 1,000 FTE students would represent a shortfall of 76 faculty members for a 10,000 FTE campus. For a campus like Baruch College this would represent more than 100 faculty lines and provide students with approximately 500 courses sections taught by full-time faculty members.

### **Other Indicators of Instruction and Instructional Support**

Table 3 (Appendix C) and Table 4 (Appendix D) are tables that describe other indicators of need for instructional resources.

**Higher Education Officers:** Based on the Office of Human Resources Management statistics<sup>1</sup> we compared the numbers of Higher Education Officers working in instructional staff functions. We found a difference of 5.3 positions per 1,000 FTE students when we compared pre-war and post-war campus averages. For a campus like the College of Staten Island this would represent more than 50 instructional HEO positions.

**Instruction and Department Research Funding and Academic Support Services Funding:** Based on the FY 2012 College Expenditure Analysis, we compared expenditures for Instruction and Department Research (I&DR) and Academic Support Services (ASS). We found a difference of \$1,388,580 in such expenditures per 1,000 FTE students when we compared pre-war and post-war campus averages. For a campus like the New York City College of Technology this would represent more than \$15,000,000 in additional instructional funding.

### **Space**

---

<sup>1</sup>[http://www.cuny.edu/about/administration/offices/ohrm/WorkforceStatistics/3YearComparison2011\\_2013\\_CUNYWorkforceDemographicsFINALformattedit2272014.pdf](http://www.cuny.edu/about/administration/offices/ohrm/WorkforceStatistics/3YearComparison2011_2013_CUNYWorkforceDemographicsFINALformattedit2272014.pdf)

Table 2 compares leased and owned space on the same basis. The Office of Facilities Planning, Construction and Management publishes statistics on the actual leased and owned space for each campus, with the needed space based on recent student enrollments as applied to the CUNY Space Guidelines.<sup>2</sup>

Table 5 (Appendix E) compares the actual space for each campus to the needed space.

The four pre-war colleges have space in excess of their needs, while the seven post-war colleges have an average of 85% of what is needed based on the CUNY standards, with three campuses having access to 65%, 70% and 71% of needed space respectively.

### **What Should Be Done?**

We recommend that CUNY prioritize the development of resource allocation models, for both capital and operating funds, that are more transparent and more equitable, and that have the confidence of both central and campus officials. During the past five years, much work has been done within the Office of Facilities Planning, Construction and Management and within the Office of Budget, Finance and Fiscal Policy to develop such models, and at the time we were very supportive of such projects.

In the interim, CUNY should continue to undertake incremental measures which have the cumulative effect, over time, to narrow disparate levels of funding that may be inconsistent with a policy of transparency, rationality and equity.

We would be very pleased to have the opportunity in the near future to discuss this and other CUNY matters with you. We would be honored to invite you to a meeting of our Faculty Senate, inviting the department chairs to also participate. We appreciate how busy your schedule must be but we hope you will be able to accept our invitation.

We wish you every success in your work on behalf of CUNY and especially on behalf of our students, who deserve every opportunity for academic and lifelong success. Many of us on the faculty at John Jay and throughout CUNY see our work as an act of social justice and are at CUNY for this reason and we are heartened to know from your comments about CUNY that you feel as we do.

Sincerely yours,

*Karen Kaplowitz*

*Ned Benton*

Karen Kaplowitz, Ph.D.  
President, Faculty Senate

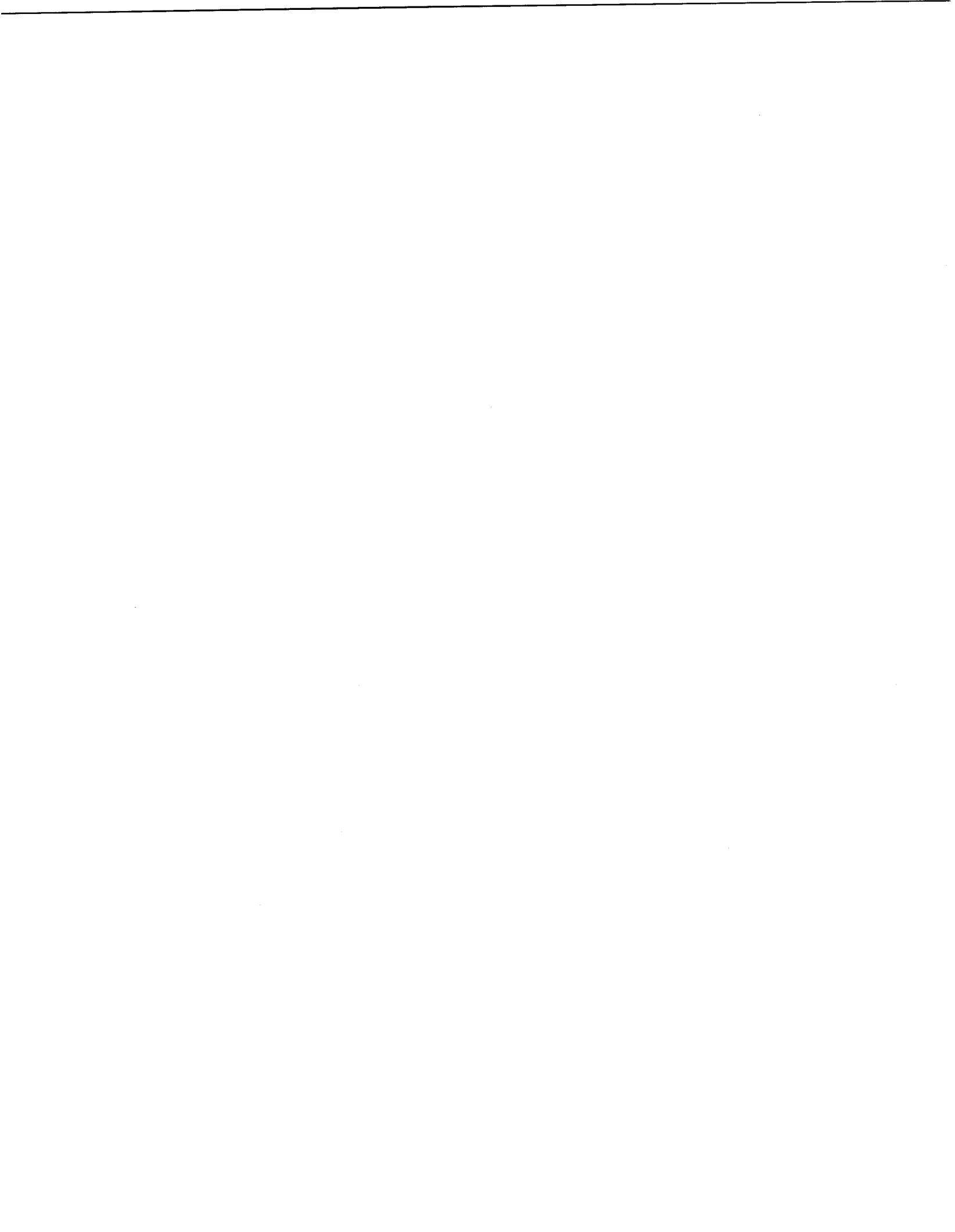
Ned Benton, Ph.D.  
Faculty Senate Executive Committee Member  
Chair, Department of Public Management

c: President Jeremy Travis

---

<sup>2</sup> See <http://www.cuny.edu/about/administration/offices/fpcm/departments/cb/28Statistics2014.pdf>





## Appendix A

TABLE 1

<b>Campus</b>	<b>Revenue Target</b>	<b>Spending Authorization</b>	<b>Percent</b>	<b>Tuition Dollar Subsidy</b>
Baruch	127,090,000	185,951,000	68.3%	0.46
Brooklyn	95,425,000	181,348,000	52.6%	0.90
City	91,705,000	212,068,000	43.2%	1.31
Hunter	144,741,000	249,747,000	58.0%	0.73
John Jay	86,366,000	148,337,000	58.2%	0.72
Lehman	63,851,000	129,356,000	49.4%	1.03
Medgar Evers	30,408,000	73,230,000	41.5%	1.41
NYC Tech	76,368,000	130,689,000	58.4%	0.71
Queens	107,346,000	189,365,000	56.7%	0.76
Staten Island	74,536,000	135,443,000	55.0%	0.82
York	38,371,000	78,324,000	49.0%	1.04
<b>All Senior Colleges</b>	<b>936,207,000</b>	<b>1,713,858,000</b>	<b>54.6%</b>	<b>0.83</b>

APPENDIX B

Table 2

Campus	FTE Students			FT Faculty			FT Faculty / 1,000 FTE Students		
	FY 2002	FY 2012	FY 2013	FY 2002	FY 2012	FY 2013	FY 2002	FY 2012	FY 2013
Baruch	11,683	13,865	13,098	396	484	526	33.9	34.9	40.2
Brooklyn	9,242	12,201	12,042	511	549	553	55.3	45.0	45.9
City	6,139	11,643	11,692	475	608	632	77.4	52.2	54.1
Hunter	13,176	16,567	16,754	502	722	735	38.1	43.6	43.9
John Jay	7,806	11,175	11,381	222	417	421	28.4	37.3	37.0
Lehman	5,543	8,234	7,829	272	381	381	49.1	46.3	48.7
Medgar Evers	3,117	5,177	4,781	126	174	183	40.4	33.6	38.3
NYC Tech	8,195	11,565	11,702	261	437	432	31.8	37.8	36.9
Queens	9,863	14,794	14,503	483	614	618	49.0	41.5	42.6
Staten Island	7,481	10,785	11,005	285	368	378	38.1	34.1	34.3
York	3,689	5,816	5,944	143	211	214	38.8	36.3	36.0
Pre 1940 Colleges	38,420	55,205	54,991	1,971	2,493	2,538	51.3	45.2	46.2
Post 1940 Colleges	47,514	66,617	65,740	1,705	2,472	2,535	35.9	37.1	38.6
<b>Difference</b>							<b>15.4</b>	<b>8.1</b>	<b>7.6</b>
All	85,934	121,822	120,731	3,676	4,965	5,073	42.8	40.8	42.0

APPENDIX C

Table 3

Campus	FTE Students		Instructional HEOs		Instructional HEOs / 1,000 FTE Students	
	FY 2012	FY 2013	FY 2012	FY 2013	FY 2012	FY 2013
Baruch	13,865	13,098	244	274	17.6	20.9
Brooklyn	12,201	12,042	549	553	45.0	45.9
City	11,643	11,692	257	266	22.1	22.8
Hunter	16,567	16,754	303	322	18.3	19.2
John Jay	11,175	11,381	241	261	21.6	22.9
Lehman	8,234	7,829	184	191	22.3	24.4
Medgar Evers	5,177	4,781	129	134	24.9	28.0
NYC Tech	11,565	11,702	136	149	11.8	12.7
Queens	14,794	14,503	213	222	14.4	15.3
Staten Island	10,785	11,005	149	165	13.8	15.0
York	5,816	5,944	116	110	19.9	18.5
<b>Pre 1940</b>	<b>55,205</b>	<b>54,991</b>	<b>1,322</b>	<b>1,363</b>	<b>23.9</b>	<b>24.8</b>
<b>Post 1940</b>	<b>66,617</b>	<b>65,740</b>	<b>1,199</b>	<b>1,284</b>	<b>18.0</b>	<b>19.5</b>
<b>Difference</b>					<b>5.9</b>	<b>5.3</b>
<b>All</b>	<b>121,822</b>	<b>120,731</b>	<b>2,521</b>	<b>2,647</b>	<b>20.7</b>	<b>21.9</b>

## APPENDIX D

Table 4

<b>Campus</b>	<b>FY 2012</b>	<b>Inst &amp; Dept Res &amp; Acad Supt Svces</b>	<b>Per 1000 FTE Students</b>
Baruch	13,865	98,987,813	7,139,402
Brooklyn	12,201	104,001,800	8,524,039
City	11,643	129,463,633	11,119,439
Hunter	16,567	139,002,352	8,390,315
John Jay	11,175	81,445,438	7,288,182
Lehman	8,234	75,086,709	9,119,105
Medgar Evers	5,177	41,412,738	7,999,370
NYC Tech	11,565	77,801,435	6,727,318
Queens	14,794	110,277,422	7,454,199
Staten Island	10,785	76,312,723	7,075,820
York	5,816	42,319,479	7,276,389
<b>Pre 1940</b>	<b>55,205</b>	<b>482,745,207</b>	<b>8,744,592</b>
<b>Post 1940</b>	<b>66,617</b>	<b>493,366,335</b>	<b>7,406,013</b>
<b>Difference</b>			<b>1,338,580</b>
<b>All</b>	<b>121,822</b>	<b>976,111,542</b>	<b>8,012,605</b>

Appendix E

Table 5

<b>Campus</b>	<b>Actual NASF</b>	<b>Needed NASF</b>	<b>Percent of Need</b>
Baruch	879,572	956,168	92%
Brooklyn	1,374,127	1,089,958	126%
City	1,680,464	1,081,803	155%
Hunter	1,532,911	1,374,422	112%
John Jay <sup>3</sup>	632,938	975,640	65%
Lehman	878,693	726,873	121%
Medgar Evers	320,326	456,255	70%
NYC Tech	644,534	902,420	71%
Queens	1,442,877	1,209,308	119%
Staten Island	765,815	902,177	85%
York	528,765	560,865	94%
<b>Pre 1940</b>	<b>6,030,379</b>	<b>4,755,491</b>	<b>127%</b>
<b>Post 1940</b>	<b>4,650,643</b>	<b>5,480,398</b>	<b>85%</b>
<b>All</b>	<b>10,681,022</b>	<b>10,235,889</b>	<b>104%</b>

<sup>3</sup> For John Jay College, NASF for North Hall is not included as this space is to be closed once the renovations in Haaren Hall are completed. North Hall is occupied as temporary space while areas of Haaren Hall are vacated for renovation.