

DRAFT

**Faculty Senate Minutes #509
John Jay College of Criminal Justice**

Thursday, May 21, 2020

1:30 PM

Zoom

Present (38): Chevy Alford, Andrea Balis, Elton Beckett, Ned Benton, Chelsea Binns, Marta Bladek, Teresa Booker, Michael Brownstein, Marta Concheiro-Guisan, Silvia Dapia, Lissette Delgado-Cruzata, Sven Dietrich, Jonathan Epstein, Joel Freiser, Heath Grant, Amy Green, John Gutierrez, Maki Haberfeld, Chris Hermann, Veronica Johnson, Karen Kaplowitz, Erica King-Toler, Benjamin Lapidus, Joyce Lau, Anru Lee, Alex Long, Maxwell Mak, Mickey Melendez, Catherine Mulder, Christian Parenti, Hyunhee Park, Jay Pastrana, Edward Paulino, Francis Sheehan, Marta-Laura Suska, Lucia Velotti, Adam Wandt, Violet Yu

Absent (0)

Agenda

- 1. Adoption of the agenda**
- 2. Welcome to the 2020-2021 Faculty Senate**
- 3. Adoption of Minutes #508 of the May 8, 2020, meeting**
- 4. Elections**
- 5. John Jay Budget review**
- 6. Faculty Senate Draft Statement on Reopening of the College**
- 7. Adjunct Faculty Reappointment Process**
- 8. Class Size Policy**
- 9. Suspension of the Economics MA Program**
- 10. New business**

1. Adoption of the Agenda. Approved.

2. Welcome to the 2020-2021 Faculty Senate

President Ned Benton welcomed the new and returning senators. He explained that the Faculty Senate is the voice of the John Jay faculty and is independent of the College Council although most of our members are also members of the College Council. The Senate can submit agenda items to the College Council, which is the college's governance body, comprising faculty, students, staff, and administrators, although the faculty is the majority of the membership, with 60 percent of the seats. He explained that because of the court decision Perez v CUNY, the College Council is subject to the Open Meetings Law and the Public Officers Law. The consequence of this is that the College Council and its committees are not permitted to use secret ballots (except in cases of personnel issues, relevant to the Faculty Personnel Committee); motions must garner an absolute majority (half plus one) of the number of members, not of those present; meetings must be open to the public. On the other hand, the

Faculty Senate is not subject to these requirements but, like the College Council, must adhere to Robert's Rules of Order.

3. Adoption of Minutes #508 of the May 8, 2020, Faculty Senate meeting. Adopted.

4. Elections

President Benton stepped away from the chair and asked Senator Elton Beckett to chair the election for the members of the Executive Committee and he asked Senator Adam Wandt to be the election coordinator, noting that *SimplyVoting*, the online election platform is being used for all Spring semester elections, by consensus of the FPC, which adopted the recommendation of the Faculty Senate.

Nominations were opened; each candidate was invited to make an election statement, and votes were cast by secret electronic ballot. The results were announced by Senator Beckett:

A. Faculty Senate Executive Committee:

- ◆ **President:** Ned Benton
- ◆ **Vice President:** Karen Kaplowitz
- ◆ **Recording Secretary:** Francis Sheehan
- ◆ **Corresponding Secretary:** Erica King-Toler
- ◆ **At-Large:** Amy Green
- ◆ **At-Large:** Mickey Melendez

B. Faculty Senate reps to the College's budget and planning committees

BPC (Budget and Planning Committee):

- President of the Faculty Senate – Ned Benton
- Vice President of the Faculty Senate- Karen Kaplowitz
- Erica King-Toler
- Maki Haberfeld

FPS (Financial Planning Subcommittee of the BPC):

- President of the Faculty Senate- Ned Benton
- Karen Kaplowitz
- Erica King-Toler

SPS (Strategic Planning Subcommittee of the BPC):

- President of the Faculty Senate- Ned Benton
- Two (2) representatives chosen by the Faculty Senate:

1. Karen Kaplowitz
2. Heath Grant

C. Faculty members on the Interim College Council Executive Committee:

The President and Vice President of the Faculty Senate are statutory members of the Interim College Council Executive Committee, which meets over the summer, if necessary, and in September at which time the regular Executive Committee members are elected. Elected were Andrea Balis and Francis Sheehan.

D. Town Hall Planning Committee

Elected were Ned Benton and Karen Kaplowitz

5. John Jay Budget Review

President Benton gave an update about the college's budget: CUNY colleges have been asked by the Governor to identify a 10% cut of the funds they receive from NYS although it is not yet clear if this is 10% of entire budget or just 10% of the portion supported from tax revenues. As a result, campuses do not know how much to cut. The federal CARES Act provides \$6.6 million to John Jay but it's targeted to mitigate COVID-19 costs; we do not know if we can use these funds to cover deficits caused by the NYS cut. Our graduate student admissions are up 17%; our undergraduate transfer admissions are up 15%. Freshman admissions are down but we have a waiting list of students who meet our admissions requirements. If all this happens we may not have as dire a budget deficit as expected.

President Benton also reported about the previous day's meeting of the Auxiliary Corporation Board, which decides how to spend the revenues generated from the rental of our theater and other of our facilities, and from our food vendor, online bookstore, etc. We are taking in much less in rental fees but on the other hand we are spending less for security and the other expenses encumbered by such events and, as a result, we might end the year with a small positive balance. However, in the past 6 to 8 years the college has provided student housing by entering into a binding contract with the New Yorker Hotel (on 34th Street and 8th Avenue) and reselling space to students, with some net revenues for staff to operate the three floors like a college dorm. We have beds for 147 students. Because of COVID-19, the students were told they had to vacate the hotel and CUNY declared that the students would have their money refunded for the rest of the semester. This is a potential loss for John Jay of \$700,000 for this year. But we have another year on the contract with the New Yorker; instead of 147 signed up for next year, we have only 78, which means the dorm might not be able to operate so we could lose \$1.3 million for the fall semester, which would make the Aux Corps insolvent.

A senator asked what the Aux Corps' relationship is to John Jay. President Benton explained that CUNY requires each college to have three independent corporations, all of which are affiliated with the college, and all of which have their own boards: the Auxiliary Enterprises

Corporation; the John Jay Foundation; and the Student Activities Corporation, which is the recipient of the Student Activity Fee. They function autonomously and in all three cases the funds are not tax levy monies.

Asked by a senator whether these corporations are audited, President Benton said they are and furthermore, the CUNY Board of Trustees has an audit committee, which he is also on. He said if the CARES money is used to make the Aux Corps whole, that means there is less money for John Jay to spend for its operations. He said that having the dormitory created a risk that had not been thoroughly considered.

6. Faculty Senate Draft Statement on Reopening of the College

After extended discussion and amendments, the *Faculty Senate Statement on Reopening of the College* was adopted by unanimous vote as a document to be forwarded throughout the campus as John Jay continues to plan for the eventual reopening of the campus. In addition, the Senate formally adopted 7 specific recommendations that are embedded in the 8-page *Statement*:

Recommendations:

1. The Strategic Planning Subcommittee should, with appropriate governance approvals, develop plans for facility occupancy that involve phased levels of occupancy and service delivery and strategies for health and safety including social distancing.
2. Define reopening along a gradual continuum that can be slowed or reversed if measures of infection and infection control warrant it. See the table in Appendix Two for a preliminary example.
3. Structure our definitions of types of class sections so that a transition from synchronous online to hybrid synchronous can be implemented smoothly with clearly defined expectations for students, faculty and staff.
4. Train and support regular and adjunct faculty in methods of synchronous online instruction.
5. Assess technologies and develop procedures to meet expectations for infection monitoring during all of the reopening stages, so that we promote and maintain the health and safety of our students, faculty and staff.
6. Promote an engaged campus community as we reopen our physical campus while preserving the best features of the virtual campus community that we have developed during the period of separation from our physical campus.
7. Plans should advance implementation of our Strategic Plan Goals.

The Faculty Senate, by unanimous vote, authorized the Executive Committee to update the document based on evolving information and circumstances and to circulate the *Faculty Senate Statement on the Reopening of the Campus* Committee for comment and, furthermore, to place the *Statement* on the agenda of the first Senate meeting in September.

7. Adjunct Faculty Reappointments

The following Resolution was moved by the Executive Committee: Resolved, The Faculty Senate recognizes the vital role of our adjunct faculty in our delivery of instruction and achievement of student success. The Faculty Senate urges all college officials and governance bodies to administer the adjunct faculty personnel process in a manner that values their critical role in our college and that promotes their continuing service, professional development and student engagement. The Faculty Senate rejects the non-reappointment of adjunct faculty based upon budget and enrollment estimates that are not based on strong evidence of the necessity of doing so. Furthermore, the language of the non-reappointment letter is unnecessarily harsh. This Resolution was adopted, by unanimous vote.

8. College Council 2003 & 2013 Policies on Class Size and Course Section Cancellation

The Executive Committee presented the following motion: Resolved, The Faculty Senate reaffirms the continuing value of the College Council 2003 Policies on Class Size and Course Section Cancellation. These important policies establish academically valid limits on class section sizes while permitting different sizes when departments present academically valid rationales for the different sizes. They also establish minimum class section sizes to protect regular and adjunct faculty and students by structuring the process of course section cancellation immediately before the start of the semester. The minimum class sizes also encourage and protect scheduling course sections in off-peak periods. The policies provide a method to temporarily amend the class-size policy in times of financial exigency. This Resolution passed by unanimous vote. The Senate also, by unanimous vote, reaffirmed the online-class size policy adopted by the College Council in 2013.

9. The Suspension of the Economics MA Program

President Benton reported that the faculty of the Economics MA program has been told by the John Jay administration that it is suspending admissions to this graduate program because of declining applications and deposits and declining enrollments. President Benton noted that just as the creation of a new academic program requires approvals by academic governance committees, the suspension of admissions or the closure of an academic program requires approvals by academic governance committees. President Benton reported that the John Jay administration suspended admission to the Master's degree in Economics without consultation and without going through shared governance; he said he was not commenting on the merits of this decision but rather on the process. A motion from the Faculty Senate Executive Committee calling for the administration henceforth to seek shared governance approval before suspending a program was moved and seconded. Senator Christian Parenti of the Economics Department urged the Senate to support this motion. The Resolution was adopted by unanimous vote.

The meeting was adjourned at 4:15 pm.

Minutes provided by
Karen Kaplowitz