

**Faculty Senate Minutes #512
John Jay College of Criminal Justice**

Wednesday, October 7, 2020

1:40 PM

Zoom

Present (34): Chevy Alford, Ned Benton, Mohamed Ben Zid, Chelsea Binns, Marta Bladek, Michael Brownstein, Marta Concheiro-Guisan, Lissette Delgado-Cruzata, Jonathan Epstein, Joel Freiser, Jessica Gordon-Nembhard, Heath Grant, Amy Green, John Gutierrez, Maki Habersfeld, Christopher Herrmann, Veronica Johnson, Karen Kaplowitz, Erica King-Toler, Benjamin Lapidus, Joyce Lau, Anru Lee, Alexander Long, Maxwell Mak, Mickey Melendez, Catherine Mulder, Christian Parenti, Hyunhee Park, Jay Pastrana, Edward Paulino, Francis Sheehan, Marta-Laura Suska, Adam Wandt, Violet Yu

Absent (4): Andrea Balis, Elton Beckett, Silvia Dapia, Lucia Velotti

Agenda

1. Adoption of the agenda
2. Adoption of Minutes #511 of the September 22, 2020, meeting
3. Election of a committee member
4. Consideration of a Resolution on Racial Justice and Inclusion at John Jay: Senators Gordon-Nembhard, Delgado-Cruzata, Gutierrez, and Johnson
5. Report of the Chair

1. **Adoption of the Agenda.** Approved.

2. **Adoption of Minutes #511 of the September 22, 2020, Faculty Senate meeting.** Adopted with corrections.

3. **Election of a committee member**

Professor Thurai Kugan (Math & CS) was elected by unanimous vote as the 6th faculty member on the faculty panel of the Student/Faculty Disciplinary Committee, which adjudicates disciplinary charges brought by the college against a student.

4. **Proposed “Faculty Senate Resolution Condemning Institutional Racism and Supporting Policies of Inclusion and Racial Justice at John Jay College of Criminal Justice/CUNY”:** Senators Jessica Nembhard-Gordon, Lissette Delgado-Cruzata, John Gutierrez, and Veronica Johnson

President Benton said that following the Senate’s discussion of the issues raised by the Black Students Union (BSU), four Senators drafted a resolution for the Senate to consider, which he

had circulated to the Senate the previous evening and which he posted on his screen. The four proponents are Senators Jessica Gordon-Nembhard, Lissette Delgado-Cruzata, John Gutierrez, and Veronica Johnson. The resolution is titled: "Faculty Senate Resolution Condemning Institutional Racism and Supporting Policies of Inclusion and Racial Justice at John Jay College of Criminal Justice/CUNY."

Senator Jessica Gordon-Nembhard said that the four had been talking about the need for action, saw that other university faculty senates have passed resolutions calling for racial justice, and decided to draft this resolution. She said there are three or four things the Faculty Senate can pledge to do: (1) to call on the administration to work in good faith; (2) to not let our diversity and our academic departments become casualties of budget and coronavirus problems; (3) to maintain and advance diversity especially racial diversity; and (4) to establish a Faculty Senate standing committee on racial justice and inclusion.

Senator John Gutierrez said that in the aftermath of the letters of the Black Student Union (BSU) to President Mason and then the letter to the department chairs, there has been a lot of movement around campus about racial justice, with particular emphasis on curricular reform. There have been podcasts by Dara Byrne and Allison Pease; a focus on the recruitment and retention of faculty of color; discussions about the results of the COACHE survey, which reveal that our faculty of color aren't particularly happy. The Faculty Senate needs to provide oversight and to not do so would place us out of synch with the college. The Faculty Senate carries tremendous weight in directing how things go and we should exert that power. Having a Faculty Senate standing committee on racial justice and inclusion, therefore, makes sense to us. We want to create an infrastructure. This is an all-hands-on-deck moment at the college.

Senator Amy Greene expressed her thanks to the four senators for writing this draft resolution which moves us beyond just making platitudinous statements.

Senator Francis Sheehan said that the email from the resolution's proponents to the Senate's Executive Committee that accompanied the draft resolution said that the four senators had not liked how the discussion went at the last Faculty Senate meeting. But that discussion involved important brainstorming during which we learned that doubling or tripling of the Africana Studies Department's course sections would be needed to provide one course to all students in their first year and one in their senior year, as called for by the BSU. He said he is concerned because we are an HSI. The combined percentage of African-American and white students does not add up to the percentage of our Hispanic students. Someone said during that discussion that Hispanic people include Black people. But the BSU letter does not say this. He is concerned that we are a society that seems to accept that children can be separated from their parents if they are Hispanic or that seems to accept discrimination against DACA students. If we adopt this resolution as written, we would be approving the demands listed in the BSU letter. He explained that he doesn't know if one department should have to carry the entire weight. He wants us to send the message that this is a role that all of us have to play.

President Benton said when he read this draft resolution, he thought that there are things in the BSU letter that he doesn't literally support; he doesn't think a course can actually be required because of the restrictions of Pathways imposed by CUNY. But he thinks that our saying we pledge to work in good faith does not actually bind us to do each and everything demanded in the BSU letter but rather to implement changes that we, as a Senate, agree with. That was the spirit with which he was prepared to support the resolution.

Senator Lissette Delgado-Cruzata said at the last meeting the Senate had been discussing the BSU letter as a set of demands. There are two separate issues: as faculty we should have a way of studying race issues in this country; at the same time, the BSU letter is requesting change. She said she had not known about the BSU letter until our last Faculty Senate meeting. She asked why we don't know about the work the administration is doing, the work that Dara Byrne and Allison Pease are doing. She felt that the Faculty Senate was not part of the conversation. What will be the response of our faculty to events and to the concerns of students? This is a draft resolution. She said she doesn't think the resolution, as written, means we are adopting the BSU letter. She said from her years on the Faculty Senate she feels that the Senate can and must address these issues. We have to let the faculty know what changes are taking place.

Senator Marta-Laura Suska said she agrees wholeheartedly that the Faculty Senate must be involved. Over the summer her department, Anthropology, established a committee on racial justice – led by Professor Kimberley McKinson – in response to the BSU letter. She said her department would be happy to share its work. The first step is to learn what departments are doing and to not leave it solely on the shoulders of Africana Studies and Latinx and Latin American Studies.

Senator Gordon Nembhard said that the way Ned interpreted the first paragraph is what the four proponents meant. Also, the BSU letter had eight requests and only one was about the Africana Studies Department. She said she's upset that some think the Africana Studies Department shouldn't be bigger. Maybe we need to wordsmith the draft. She said this is not about Black versus Latinx. All of us understand racial justice is about both Black and Brown. We are not trying to divide and conquer, we are not trying to compare whose oppression is worst. We start with anti-Blackness but this includes Hispanic people.

Senator Heath Grant said he is concerned we are talking about our response before we've made an assessment to determine what the problem at the college is so we can then determine what our response should be. The Faculty Senate should first approach the assessment level and we should build an assessment into the resolution.

Senator Gutierrez, in response, said his hope is that if we create the standing committee, we will be creating the structure to do the assessment. We won't even know that some departments are hard at work on these issues without this committee. In response to Francis's concern about the first paragraph, he said he tried to be ambiguous. For example, he recognizes in terms of the curriculum that the BSU demand of a course required for all students is something that Associate Provost Dara Byrne does not agree with, that she believes the

entire curriculum has to address these issues. He said we are fortunate that we have a strong Africana Studies Department and a strong Latinx and Latin American Studies Department. We have experts and we teach. He said he is glad Francis raised the issue of Hispanic students. He recalled he was the only abstention in the vote to adopt the Strategic Plan last May at the College Council because the goal regarding our Hispanic students was removed from the plan. He said he is not concerned that a racial justice committee of the Faculty Senate will fail to treat our HSI identity as important. He said if he brought the resolution to his own department – Latinx and Latin American Studies – they would support this resolution.

Senator Green said she has several points and questions: first, we should change the first paragraph so that it's clear that the BSU letter is not the be-all of the change that needs to happen at John Jay; is there a threat to the existence of academic departments because of COVID-19 or is it about a longer commitment we must make at the college; and third, not having served on a committee of the senate, what is the jurisdiction and product of such a committee.

Senator Chevy Alford said that communication is key. As we become aware at the Senate, we need to bring that information to our departments. She said she agrees that we should tweak the language of the resolution so that it's clear to all of us.

Senator Violet Yu asked whether the BSU letter will be appended to the resolution, so that the recipients know what we are referencing.

President Benton summarized what he has heard: no one has raised questions about the whereas clauses; concerns have been raised about the first paragraph of the resolved clauses, including whether we are highlighting the BSU letter or committing ourselves to implementing its demands (and he added that "implement" could be changed to "address" and that "changes sought by" is general and in the next paragraph we could change "pledging" to "call on"); the reference to COVID is confusing; the role of the Senate committee is to monitor the situation and bring issues to the Senate.

Senator Freiser said we should attach the BSU letter to the resolution. President Benton said he thinks doing so may overemphasize the letter.

Senator Sheehan said that some have referred to 6 demands by BSU and other have referred to 8 demands. We have seen eight demands. VP Kaplowitz explained that the BSU initially wrote to President Mason and then when she advised them to write to the chairs, they sent a different letter, with eight demands, to the chairs, which Ned and she were cc'd on. The letter distributed to the Senate is the letter addressed to the chairs. Senator Sheehan noted that the term "inclusion" is used in all the "whereas" clauses but the term "racial" is used in the "resolved" clauses and suggested that we be consistent in our language. He also asked if it is intentional, in the third resolved clause, to have the word "racial" appear before "faculty" and before "curriculum" but not before "students." Senator Gutierrez responded it is not intentional; the term "racial" should also be placed before the word "students."

Senator Sheehan said he is not opposed to the expansion of the Africana Studies Department but it is not realistic to think we can make that happen in light of our budget crisis. He said he doesn't think there's a tug of war and tries as best as he can to not have a tug of war. Rather, he is trying to be as inclusive as possible while supporting Black Lives Matter. Saying he is very involved in local police department reform, he acknowledged that looking at him one might not realize how personal this is to him but the opposite is true: he recently learned at his dinner table that his son has been pulled over 21 times by the police, adding that his son does not look like him.

Senator Jay Pastrana said he supports the resolution: it's important to validate and support students. He suggested we could go back to our departments to ask what they think of the resolution. There is no rush. There is no racial diversity committee at the college. And now the federal government through an executive order is banning racial sensitivity programs in federal contracts and grants.

President Benton said we need to come forward with a slightly amended version; sometimes the Senate approves a resolution and delegates authority to the Executive Committee to make the changes called for during the discussion but, he said, some may be uncomfortable with this approach in this matter.

VP Kaplowitz said she supports the resolution and is grateful to the proponents for drafting it and bringing it to the Senate. She thinks we should not vote today but rather place the resolution as the first item of the agenda of our next meeting. In the meantime, the Executive Committee and the four proponents should work together to wordsmith the resolution. This should be done within a week's time and distributed to the senate at least a week prior to our next meeting so that senators can carefully read the resolution, consult with others, and, as Senator Pastrana suggested, perhaps consult with their chair or their department. She noted that the bylaws of some departments require that department reps consult with their chair or their department when casting important votes.

Senator Green said she agrees with Karen's approach and especially that any amendments by the executive committee be made in consultation with the four proponents.

Senator Gordon-Nembhard said this approach is fine with her. Senator Delgado-Cruzata agreed, as long as she and the other three proponents work on the changes. President Benton said it is their resolution and they absolutely have to agree with changes. Senator Johnson said she, too, finds this approach acceptable.

VP Kaplowitz said this is absolutely not an effort to put off or avoid a vote. Rather it is a way to strengthen the effect of the resolution so that no one can say they didn't have time to consult or that they didn't agree with a particular paragraph. Comments like those would undermine the resolution, which is the last thing we want to do.

6. Report from the Chair

President Benton reported on three issues. The first is that according to CUNY, John Jay lost 11 faculty positions this year but gained 25 non-faculty positions. He said the report had him floored. He's written the college administration asking for an explanation. This may be a technical issue but we are on top of it and will find out. The numbers are in CUNY's year-end fiscal report which he emailed to the senators with the agenda. The report shows the year-end fiscal report about every CUNY college so that it's easy to compare one campus with another. The second issue is that at the request of the chairs, he has drafted rules and procedures for the promotion of adjuncts. He will circulate this to senators. It's a proposal to move the adjunct promotion process into the Faculty Personnel Committee (FPC) instead of the current process of an adjunct having to petition the provost. The third issue is that the Executive Committee is drafting a resolution calling on the faculty elections procedures to be voted on by the College Council so that the faculty election rules become College policy; this is what the Senate overwhelmingly voted for at our last meeting. Currently the election procedures come from the provost's office and are considered provostial advice.

The meeting was adjourned at 3 pm.

Provided by
Karen Kaplowitz