

Faculty Senate Minutes #523
John Jay College of Criminal Justice

Thursday, April 29, 2021

1:40 PM

Zoom

Present (35): Chevy Alford, Andrea Balis, Elton Beckett, Ned Benton, Mohamed Ben Zid, Chelsea Binns, Marta Bladek, Marta Concheiro-Guisan, Silvia Dapia, Lissette Delgado-Cruzata, Jonathan Epstein, Joel Freiser, Jessica Gordon-Nembhard, Heath Grant, John Gutierrez, Maki Haberfeld, Christopher Herrmann, Crystal Jackson, Veronica Johnson, Karen Kaplowitz, Erica King-Toler, Yuk-Ting (Joyce) Lau, Anru Lee, Alexander Long, Maxwell Mak, Mickey Melendez, Hyunhee Park, Edward Paulino, Atiba Rougier, Francis Sheehan, Marie Springer, Charles Stone, Thalia Vrachopoulos, Adam Wandt, Violet Yu

Absent (4): Michael Brownstein, Amy Green, Christian Parenti, Lucia Velotti

Guest: Professor Rosemary Barberet

Agenda

1. Adoption of the agenda
2. Adoption of Minutes #522 of the April 12, 2021, meeting
3. Election of additional Alternate Faculty Senate reps to the 2021-22 College Council
4. Update on the Fall 2021 Reopening Plan
5. Provost's Hiring Plan
6. Budget Update
7. New business

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

2. **Announcements**

President Ned Benton read a summary of the current status of Professors Ric Curtis, Anthony Marcus, and Barry Spunt:

Recently, information has circulated about a settlement of the Federal legal case involving Ric Curtis, Anthony Marcus and Barry Spunt. The following is a summary of publicly available information, which I verified with Tony Balkissoon:

- With respect to the college's investigation and disciplinary actions, President Mason decided in late 2019 and early 2020 to terminate the employment of Ric Curtis, Anthony Marcus and Barry Spunt. Leonardo Dominguez, an adjunct faculty member, was not reappointed. The three full-time faculty members were placed on paid administrative leave.

- The three full-time faculty terminations were subject to CUNY/PSC arbitration. Barry Spunt retired effective December 1, 2020, while his arbitration was pending. On February 3, 2021, he agreed not to seek or accept employment at any CUNY school, and the disciplinary charges against him were terminated. He passed away on February 5. Anthony Marcus resolved the disciplinary charges against him by agreement. He will retire effective December 31, 2021, remains barred from teaching in the interim, and will not seek or accept employment at any CUNY school in the future. The arbitration relating to Ric Curtis remains pending.
- Claudia Cojocar and Naomi Haber filed civil suit in Federal court against CUNY and the four faculty members and other college officials. The court has approved a voluntary settlement proposed by the parties that dismissed nearly all of the claims, and also compensated the two plaintiffs at \$164,499.74 each, along with \$281,000.52 to the Plaintiffs' attorneys. These payments will be made by the State of New York, not CUNY or John Jay College.
- The litigation is not completely over. The plaintiffs and Ric Curtis have also file state-law claims against each other for defamation and retaliation. Also, after the settlement, Ric Curtis sued CUNY, President Mason, Provost Li, and others, alleging that they discriminated against him on the basis of his sex. All these claims are in the early stages of litigation.

Because litigation is pending, other college officials may not be able to say more than this.

Several senators expressed surprise that they would first learn this information for at a Senate meeting. President Benton said he and Karen Kaplowitz have been working to get more transparency and facts about the situation. Karen Kaplowitz said that she and Ned wrote to President Mason asking questions and asking for transparency and in response President Mason asked the college's legal counsel, Tony Balkissoon, to brief the two of them which he did; that is what Ned summarized in the statement he just read.

Senator Heath Grant asked whether the Senate will be taking a position on the college's decision thus far to not issue an acknowledgment that Barry Spunt, a long-time member of our faculty, has died. President Benton suggested we defer this to our Friday, May 7, meeting when President Mason will be our guest. He noted the Council of Chairs is scheduling a meeting with President Mason about this very topic and we might know more as a result of that discussion.

2. Adoption of Minutes #522 of the April 12, 2021, meeting. Approved.

3. Election of additional Alternate Faculty Senate reps to the 2021-22 College Council

The Senate elected Marta Concheiro-Guisan, Joel Freiser, and Anru Lee to serve as additional Alternate Members of the 2021-22 College Council. We had already elected three alternates at our previous Senate meeting. We are allocated 8 alternate faculty seats.

4. Update on the Fall 2021 Reopening Plan

President Benton reported that 262 course sections, or 6%, will be in-person in the Fall 2021. Each section that is in-person will have at-least one online section so students will have a choice. The class cap for in-person classes is 14. We will most probably not be able to give students or faculty a full in-person schedule. Classes will not be changed with regard to modality once classes start.

5. Provost's Faculty hiring plan

President Benton said he thinks we will be doing faculty hiring for the next two, three, four years. The Provost's Hiring Plan was created in 2019 and it has 6 conceptualizations:

"In determining where to hire, we will prioritize the following:

- Departments or Programs with student-faculty ratios below 1:100
- Departments or Programs with full-time coverage below 32%
- Re-accreditation of academic programs
- Efficiency of Department or Program's scheduling, seat efficiency and limited number of under-enrolled sections
- Attention to student success initiatives
- Research/creative work and grant activities

"Departments with obvious need at present are: (a) Law, Police Science and Criminal Justice Administration, (b) Political Science, (c) Sciences, and (d) Sociology (e) Public Management (f) Security, Fire, and Emergency Management. The Library is also in critical need as it serves all of our students with only 10 full-time faculty members at present, equaling an SFR of 1:1500."

Senator Jessica Gordon-Nembhard said we should ask the provost for an update of the plan, noting that it doesn't connect with or reflect the racial justice focus that the college has since agreed to. She asked Ned Benton to communicate this with the provost.

6. Budget Update

President Benton noted that the Budget Planning Committee of the college has adopted the Faculty Senate's March 2021 resolution on Strategic Budget Planning for the Post-Pandemic CUNY's latest budget report is as of March 31 and it shows John Jay as having a projected deficit of \$8 million. But we have CARES money and \$2 million of CRRSSA funds are going to be tapped into. We will retain our CUTRA monies and as a result of all this we will have a balance of \$3 million at end of the fiscal year rather than a deficit. There will also be \$17 million from Biden Recovery Funds. We will have a total of \$42 million in one-time funds. He noted the CUNY community colleges have dramatic student enrollment declines, citing for example, BMCC which is down \$20 million because of enrollment declines. CUNY documents show that John Jay has 390 faculty (down 2 from last year) and 152 faculty support people (down 10 from last year).

President Benton also reported that without a change in enrollment we'll have \$4.2 million in TAP. And this will keep coming. We can use this money to hire people. We can spend it any way we want. NYS says it will close the entire TAP gap over the next four years.

Senator Francis Sheehan said he has been repeatedly speaking with Andrea Stewart Cousins, the speaker of the NYS Senate, whom he knows, about increasing funding for CUNY, in particular underfunded CUNY colleges, such as John Jay, telling her that addressing the TAP GAP would help direct funding to those colleges. She was very receptive to doing so.

Senator Edward Paulino asked whether when we go back to our departments, would it be accurate to report we are cautiously optimistic. President Benton said that is the exactly right phrase: cautiously optimistic.

President Benton said the question now is how do we spend these one-time funds.

The meeting was adjourned at 2:50 p.m.

Provided by Karen Kaplowitz