

**Faculty Senate Minutes #535
John Jay College of Criminal Justice**

Thursday, March 10, 2022

1:40 PM

Zoom

Present (31): Alex Alexandrou, Andrea Balis, Elton Beckett, Ned Benton, Mohamed Ben Zid, David Brotherton, Marta Concheiro-Guisan, Silvia Dapia, Jessica Gordon-Nembhard, Maki Haberfeld, Jay Hamilton, Marta-Laura Haynes, Christopher Herrmann, Mohammad Islam, Veronica Johnson, Karen Kaplowitz, Catherine Kemp, Erica King-Toler, Yuk-Ting (Joyce) Lau, Anru Lee, Alexander Long, Gerald Markowitz, Mickey Melendez, Patrick Raftery, Maureen Richards, Stephen Russell, Francis Sheehan, Gregory Sheppard, Fritz Umbach, Adam Wandt, Violet Yu

Absent (7): Chevy Alford, Jonathan Epstein, Heath Grant, John Gutierrez, Samantha Majic, Hyunhee Park, Charles Stone

AGENDA

- 1. Adoption of agenda**
- 2. Announcements**
- 3. Reports from Members of Governance Committees**
- 4. Proposed Resolution on Campus Health and Protection**
- 5. Proposed Resolution on Fall 2022 Scheduling**
- 6. Proposed Faculty Senate Survey of Lecturers**
- 7. New Business**

1. Adoption of the agenda. Approved.

2. Announcements

President Ned Benton reported that the annual *Chronicle of Higher Education* “Great Colleges to Work For” survey is being distributed to randomly chosen faculty and staff. He encouraged all who receive it to fill it out.

3. Reports from Members of Governance Committees

Senator Jessica Gordon-Nembhard, chair of the Senate’s Committee on Racial Inclusion & Justice reported that the three subcommittees have been working. Last semester the committee met with the Committee on the Student Evaluation of the Faculty and the Council of Chairs. Both groups expressed excitement about her committee’s work and so they are working together on SEOF evaluations. The Council of Chairs and the Faculty Personnel Committee both

agreed with the Faculty Senate's Statement that student evaluation of the faculty results must be taken in context and that we must all understand student bias about LGBTQ faculty and faculty of color, although this is very difficult to study. The Committee is also doing a curriculum scan to create a baseline of our curriculum in the past two years with regard to racial inclusion, research, and the curriculum. They've asked for course syllabi and are redacting all identifications of faculty. Progress is now happening – we saw this at our last College Council meeting when several new courses were approved – and the committee is keeping track of this. The committee's subcommittee on the Faculty Senate pipeline, whose charge is to make sure the membership and leadership of the Senate become more diverse, is working on a survey. The last subcommittee on students is making the least progress because the students seem overwhelmed and too exhausted to do political work. They will meet with students, having already met with the Student Council. Senator Gordon-Nembhard concluded by saying that their need for summer stipends or reassigned time or College Assistants has not yet been met. President Benton said the administration has agreed to fund the committee with the same budget line as the college committee on diversity and inclusion; the funds will come from the Auxiliary Corp funds.

President Benton reported that the college's Assessment Committee will be shut down – if the College Council approves – and its work will be conducted instead by three new subcommittees of the Strategic Planning Subcommittee. These new subcommittees will focus on assessment of the administrative part of the college, the academic part, and the student support part. The finding of the Middle States self-study is that we are not doing our assessment of our administrative functions well.

President Benton also reported that the Middle States Reaccreditation process is coming to an important moment. The first draft of the Middle States self-study will be posted for comment in a few days so that the college community may review it and comment.

Senator Jerry Markowitz reported that this is budget season for the NYS Legislature and that the PSC is pushing very hard because we have an opportunity for very good budget for CUNY. The next three weeks are crucial; he asked for everyone's help.

4. Proposed Resolution on Campus Health and Protection

The Chancellor has announced the end of the mask mandate. President Benton said that although the Governor, Mayor, and Chancellor say there is no longer a mask mandate, our executive committee is recommending that everyone at John Jay continue to wear masks while on campus. He reported that NYC is part of the CDC database that's monitoring Covid in waste water. 50% of localities have just reported at least a 10% increase in Covid RNA. There's lot of loss of confidence in the process of deciding what to do. The general decisions of the governor and mayor may be good, in general, but not necessarily for individuals or for local circumstances.

He explained that the resolution calls for a designated group of faculty we can rely on to tell us when we should do more to protect ourselves and when we don't have to mask. These are people who would take responsibility to speak truth to the community. He presented the draft resolution:

Faculty Senate of John Jay College of Criminal Justice
Resolution on Campus Health and Protection
Adopted March 10, 2022

Whereas, faculty and students planned and agreed to hybrid and in-person schedules with the expectation that the college would maintain a particular set of mitigation measures that included a mask mandate on campus.

Whereas, while students (except for those with exemptions) have been subject to a vaccine mandate, there is no currently operative requirement for faculty or staff to be vaccinated, so that there are definitely unvaccinated persons present every day on campus, many of them, likely for several hours. Recent reports described a 33% vaccination rate among non-instructional part-time staff.

Whereas, the most recent variant taught us that being vaccinated and boosted does not preclude infection that can be transmitted to others, that people who contract it can test negative for a few days after exposure before testing positive and transmit the virus to others before testing positive, and that reinfection with that variant or a new one is possible even among the vaccinated and boosted.

Whereas, on Friday, 3/4/22, Chancellor Felix V. Matos Rodriguez announced the lifting of the temporary mask mandate for CUNY. Therefore, effective March 7, 2022, masks were no longer required to be worn by everyone on the John Jay campus.

Whereas, for the spring 2022 semester, the college ceased social distancing requirements for classrooms, hallways, common areas, and restrooms, so that the only mitigation measure besides ventilation and air filters was masking;

Whereas, faculty and students who agreed to come to campus under the mitigation measures in effect at the start of the semester now in the middle of that semester face an increased risk that they may contract the virus and bring it home to vulnerable family members, even if they themselves are vaccinated, boosted, and masked.

Whereas, asking faculty, especially adjunct faculty, to accommodate separately those students whose concern for themselves or their families argues that they stay away from campus under these circumstances is too burdensome, especially coming mid-semester.

Whereas; respect is a college value: Honor each other's identities, ideas, values, and humanity partnered with a commitment to courtesy, civility, and kindness.

Therefore, the Faculty Senate Resolves that:

- Faculty members, students and staff are encouraged by the Faculty Senate to continue to wear masks on campus, consistent with the Chancellor's statement that voluntary masking is welcomed, and recognizing that people may choose to mask because of personal and family health risks. Voluntary masking enhances protection for the person who masks, and also enhances protection for the entire campus including people who choose not to mask.
- The college should continue to offer free masks to people entering campus facilities.
- Faculty members, students and staff should respect the decisions of other to mask, consistent with the college's value: Honor each other's identities, ideas, values, and humanity partnered with a commitment to courtesy, civility, and kindness.
- Faculty members, students and staff should mask when meeting with a masked person who is working in a confined space such as an office or conference room, particularly when an occupant has posted a "Please mask before entering" sign.
- Instructors should review the contingency plans they made in advance of the spring semester and make sure that, should they need to, they are able to provide, in the language of the December 3rd resolution, "continuity of instruction and student learning if pandemic conditions worsen."

Therefore, be it further resolved that:

- Recognizing that public health conditions may change, the Senate Executive Committee shall appoint a Senate Panel on Campus Health and Protection. The Panel shall monitor public health conditions and advise the Senate as to when changes in masking and other protective measures become appropriate. The Senate, in turn, will advise the faculty and the college community.

Senator Cathy Kemp strongly supported the resolution saying that the university pulled a bait and switch.: they assured us that there would be mitigation methods and rules in place and, based on those assurances, we returned to campus, and then CUNY ended those mitigation methods and rules. She pointed out that it's not a case of simply deciding to stop visiting a museum; we can't stop teaching our classes. This, she said, falls especially harshly on our adjunct colleagues.

Senator Francis Sheehan suggested we make the resolution stronger with regard to faculty and staff offices, suggesting that those with offices should have an absolute right to require unmasked visitors to mask.

Senator Jay Hamilton agreed but pointed out that adjuncts have shared office space. He said as an immunosuppressed person he believes Francis's suggestion to be a reasonable accommodation under the Americans With Disability [ADA] Law. He said he explained his medical situation to his class and every student kept their mask on; they were simply great. He suggested that perhaps the panel the Senate is proposing to appoint could answer this question. Senator Mohamed Ben Zid also supported the resolution, saying every time we collect exams from our students we are collecting germs from each student and their families. He has had many students who are double vaccinated and boosted and yet they have caught Covid.

President Benton said he doesn't think faculty or staff have a right to do this. VP Kaplowitz suggested we ask the college's legal counsel, Tony Balkisoon. This was agreed to and if we can legally require masks to enter our offices we will bring such a resolution to a subsequent Senate meeting.

The Resolution passed by a vote of 30 yes, 1 no, and 0 abstentions.

5. Proposed Resolution on Fall 2022 Scheduling

President Benton noted that course scheduling has been screwed up by the pandemic and that enrollment is down. At the BoT Fiscal Affairs committee meeting this month, the Chancellor stated that campuses will be allowed to set own schedules for fall 2022. President Mason and Provost Li have confirmed this. He presented a proposed resolution on Fall 2022 scheduling from the Executive Committee. Senator Erica King-Toler suggested amending the resolution so that every reference to fall 2022 be changed to "summer and fall." This was agreed to. The resolution, after several more amendments, was approved by a vote of 30 yes, 0 no, and 1 abstention.

Faculty Senate of John Jay College of Criminal Justice Resolution on Summer and Fall 2022 Course Scheduling *Adopted March 10, 2022*

Whereas, course scheduling has been disrupted by the pandemic;

Whereas, enrollments have been limited by the availability of courses in modalities preferred by students;

Whereas, the Chancellor informed the Financial Planning Subcommittee that campuses will be allowed to determine their own schedules for Summer and Fall 2022;

Therefore, the Faculty Senate resolves that scheduling for Summer and Fall 2022 should

- Reflect consultation with students about their needs and preferences for course modalities and day/evening/weekend schedules.
- Balance student preferences with other academic factors related to student success.
- Not be constrained by artificial modality targets;
- Include synchronous and asynchronous online courses based on faculty, department and program preference; and as accommodations to faculty with ADA or other special needs;
- Schedule constraints resulting from peak period classroom availability should be managed by scheduling procedures that distribute sections across the schedule when enrollment demand makes this possible.
- Apply course cancellation and class size policies.
- Schedule hybrid classes with a consistent schedule of meetings, at least 20% of the meetings face-to-face, and the modalities of the online components determined by the faculty member. Count hybrid sections as satisfying expectations for faculty on-campus instruction.

7. Proposed Faculty Senate Survey of Lecturers

President Benton reported that in refining the draft survey instrument, he sent it to a few lecturers for their feedback. He said they expressed great interest in being heard. Some lecturers expressed surprise that they can vote in department elections, saying they had never been told this and had never voted. The draft instrument will be revisited at our next Senate meeting.

The meeting was adjourned at 2:57 pm.

Provided by
Karen Kaplowitz