

**Faculty Senate Minutes #548**  
**John Jay College of Criminal Justice**

**Wednesday, February 15, 2023**

**1:40 PM**

**Zoom**

**Present (30):** Chevy Alford, Elton Beckett, Ned Benton, Janice Bockmeyer, Raisa Castillo, Serguei Cheloukhine, Frank Chen, Jessica Gordon-Nembhard, Heath Grant, Jonathan Gray, Maki Haberfeld, Mohammad Islam, Veronica Johnson, Karen Kaplowitz, Catherine Kemp, Edward Kennedy, Kyoo Lee, Joseph Maldonado, Marie-Helen Maras, Ray Patton, Susan Pickman, Maureen Richards, Robert Robinson, Stephen Russell, Francis Sheehan, Liza Steele, Thalia Vrachopoulos, Adam Wandt, Zhun Xu, Sung-suk (Violet) Yu

**Absent (9):** Silvia Dapia, Peter Diaczuk, Jonathan Epstein, Amy Green, Emily Haney-Caron, Yuk-Ting (Joyce) Lau, Anru Lee, Brian Montes, Ana Pego

**AGENDA**

- 1. Adoption of agenda**
- 2. Approval of Minutes #547 of the February 2, 2023, meeting**
- 3. Announcements**
- 4. Election**
- 5. Budget update**
- 6. Faculty Senate Survey on the Status of Lecturers**
- 7. Discussion: Determining the definition of majority vote in governance elections**
- 8. Discussion: Shall the Senate meet next year by Zoom or in person**
- 9. New Business**

**1. Adoption of agenda.** Approved.

**2. Adoption of Minutes #547 of the February 2, 2023, meeting.** Approved.

**3. Announcements**

The Middle States Visiting Team will be on campus on Monday, March 12, through Wednesday, March 13, to determine if our Self-Study Report is accurate; the team will then make a recommendation to the Middle States Commission as to John Jay's application for reaccreditation. The team is expected to meet with the Faculty Senate during its Tuesday, March 13, meeting. As announced previously, every Senate member who can do so is asked to attend the March 13 Senate meeting in person. The Moot Court has been reserved.

#### **4. Election**

The Senate unanimously elected Senator Joseph Maldonado to the Senate's Committee on Racial Justice and Inclusion and thanked him for his willingness to serve.

#### **5. Budget Update**

President Benton reported that John Jay, like all the CUNY colleges, is facing a 5.5% to 7% cut, which for John Jay is about \$6 million. CUNY says we can meet this reduction with increased revenue, if we can achieve such a thing through, for example, increased enrollment. All campuses must submit a budget plan to CUNY and then CUNY will create its budget plan for next year. He said he thinks it is important for the campuses to work aggressively to increase enrollment. One of the causes of the budget shortfall is that during the pandemic students got used to not paying their tuition and being rescued by CUNY because we had been receiving federal funds to cover those losses; but we no longer have those funds and yet students continue to not pay their tuition bills. Also, CUNY used to permit campuses to withhold transcripts from students until they paid all their outstanding debts, but can no longer do so because of a new NYS law.

President Benton said he and University Faculty Senate (UFS) Chair John Verzani (CSI) have agreed to advocate for campuses to provide transparency in their position counts and in the actions of the Vacancy Review Boards (VRB) on each campus, as to which vacancies they recommend be filled and also at CUNY Central as to which campus recommendations are ultimately approved. He said they are also advocating transparency with regard to whether there is a corresponding reduction in adjunct sections in relation to new lecturer-taught sections. He added that they are asking CUNY to account for where the \$75 million in productivity savings has gone.

Senator Janice Bockmeyer thanked Ned for this report and agreed that transparency is key. She reported that her department chair is being instructed to not run sections that have less than a full enrollment and to consolidate such sections with other sections. All the instructions to her chair seem to reduce the opportunity for faculty to teach their courses but also reduce the options for students with regard to when and how sections are offered. If a course is not required for a major or a minor, we will lose them, she said. If we don't run courses one year they may be dropped the next year. She asked if the budget challenge merits aggressive or even radical restructuring of our curriculum. President Benton said every chair has been given the same marching orders for the spring; every chair has been given a schedule analysis: for example, which courses should have only two sections offered, etc. He said he thinks the risk is that we may have more enrollment than previously and we'd have to scramble to add sections. He added that many adjuncts are being told now that there will not be courses for them to teach in the fall.

President Benton also reported that there's been discussion at John Jay about whether every full-time professor should be required to teach at least one section on campus (unless they have an ADA exemption). This year, when Provost Pease asked the chairs if she should strictly enforce this policy, they said no, but now he thinks the provost wants to return to a more

structured interpretation of this policy. He pointed out there's no CUNY policy about this and that, furthermore, Provost Bowers, who established this position during her tenure, did not go through the process of making it policy but, rather, it was a statement that she issued and, it is important to note, that she didn't implement it except with reference to a few people and then she stopped doing so.

Senator Sung-suk (Violet) Yu said she disagrees with the policy requiring 70% of in-person teaching because it has led to online courses being taught mostly by adjunct faculty in some programs; furthermore, it has been very difficult to find adjunct faculty willing to teach on campus. President Benton said that the University Provost has made it absolutely clear that there is no instruction from CUNY Central requiring campuses to meet any goal of in-person instruction.

Senator Chevy Alford said the college is setting up obstacles for students who have sequential classes. President Benton said he thinks the administration would make an exception for classes that are a prerequisite for another course, adding that perhaps the Faculty Senate should adopt a resolution on scheduling. He invited senators to contact him or Karen if any are interested in working on such a resolution. He also said he believes the college needs a 3-year schedule that includes the number of sections of each course that will be taught in person and the number that will be taught online for each semester for 3 years; the plan could be amended, of course.

#### **6. Faculty Senate Survey on Lecturers**

President Benton reported that he has proposed and has been accepted to make a presentation at CUNY's next Diversity, Equity and Inclusion Conference regarding CUNY/SUNY student and faculty ratios. He will report the fact that campuses with higher proportions of non-white students have higher adjunct to f-t ratios than other campuses. In fact, CUNY is providing him with data. He has also determined that even pre-pandemic, more nonwhite faculty are in the lecturer rank than in the associate or full professor ranks. Because lecturers can't get promoted or get salary increases, compensation is lower among lecturers over their career; the only way they can change this is to move to an assistant professor line. At John Jay, we've said that lecturers can do so but we've never said how. So it never happens unless the provost invites a lecturer to do so; departments can't do this. There is structural inequity at CUNY because there are more nonwhite than white lecturers. He said the only way to clear up this very inequitable structure is for CUNY to create a promotional structure in the lecturer title and open a path to move from lecturer to assistant professor.

Senator Bockmeyer again expressed her thanks for doing this but said this is the price of creating a two-tier faculty. She said this has been happening at universities which have this lower level of lecturers since the 1970s when she studied at the University of Michigan at Ann Arbor, where if a student wanted to study with a woman or a person of color, the student had to enroll in a course taught by a lecturer. She said she strongly endorses the creation of a gateway to assistant professor. President Benton agreed that we are going to have a two-tier system, with one tier receiving lower salary and occupied by people of color.

Senator Stephen Russell asked how such a gateway mechanism is going to solve the problem if it turns out that white lecturers are the ones promoted to assistant professor. President Benton responded that if we were to have a three-tier lecturer series, senior lecturers would receive a higher compensation.

Senator Jessica Gordon-Nembhard said the Faculty Senate Committee on Racial Justice and Inclusion has tried to address the issue of inequity, first in terms of the Student Evaluation of the Faculty and now in terms of how to support faculty, how to achieve inclusion. We can't have this bifurcation. She urged senators to join her committee or send ideas to her.

President Benton said he thinks it's time to propose changes based on our lecturer survey. VP Kaplowitz offered to try to develop proposals which she'll share with the executive committee and, if they approve, they will be brought to the Senate. Senator Bockmeyer said as a representative of her department she would like to bring any proposals back to her department for discussion before they go to the College Council. President Benton said that would be excellent.

#### **7. Discussion: Determining the definition of majority vote in governance elections**

President Benton said it has always been the case at CUNY, until now, that an affirmative vote of a majority of the entire body was required for a motion to pass, not merely a majority of those present. This has been true at the College Council, at the Curriculum Committee, etc. Some believe that to require departments or programs to need a majority of the entire department, not merely of those present (a quorum being present), is a consensus building situation. With only a simple majority required, a minority of a department can impose its will on the full department.

VP Kaplowitz explained that JJ's Counsel, Tony Balkissoon, has just told the College Council Executive Committee (ECCC) that CUNY has decided that a majority is half plus one of those present and CUNY has imposed this definition on the colleges, unless college policy explicitly states that a majority vote of the entire body is required. Tony Balkissoon told the ECCC that the College Council can create a policy requiring a majority of the entire body but, unless it does so, a majority of those present, as long as a quorum is present, is all that is now and henceforth required. She explained its significance for the College Council: currently, there are 50 members and so until now 26 members had to vote yes for a motion to pass (half plus one of the entire membership). Now, as long as 26 members (a quorum) are present, a motion can pass with only 14 votes (half plus one of those present). So college policy can now be made by 14 people voting yes.

President Benton said he thinks CUNY is wrong about this and he thinks the OML panel of NYS would say that CUNY is wrong. But CUNY would probably ignore the panel's opinion. VP Kaplowitz explained that the Senate has asked the NYS OML office to give its opinion about OML matters and, each time, the panel agreed with the Senate that either CUNY or John Jay was in violation of the OML and each time CUNY or John Jay ignored that opinion.

Senator Russell asked if that means that if many faculty were absent for an in-person College Council meeting, only 14 non-faculty members could pass a motion. VP Kaplowitz said yes. Senator Bockmeyer moved that the Senate bring to the College Council a motion to amend the charter requiring half plus one vote of the entire body.

Senator Francis Sheehan agreed with Janice, Karen, and Ned, saying we've had situations at the College Council in the past, when the Council had 69 members, when we've needed 35 affirmative votes but had only 33 or 34 and so we needed to build consensus. He noted that the bylaws of the Science Department state that an absolute majority is needed, meaning half plus one of the department members, but now we will have to decide what our bylaws mean.

VP Kaplowitz said that Tony Balkissoon says that because we don't have definitions of what we mean in our documents, any reference to the word "majority" means half of those present, a quorum being present. She said she thinks if the College Council votes to define a majority as half plus one of the entire body, CUNY will approve it, as long as President Mason supports it. She suggested that perhaps we should consult with the president before proceeding. On the other hand, she said, she did not think President Mason would oppose the will of the College Council on a matter such as this. Senator Bockmeyer withdrew her motion for now. Senator Russell said a way to frame this is to have a policy that says the term "majority" means half plus one of the entire body unless the phrase "simple majority" is used. Senator Sheehan urged that we move quickly on this.

**8. Discussion: Shall the Faculty Senate meet next year by Zoom or in person**

A vote of the Senate revealed the unanimous will of the Faculty Senate to meet by Zoom next year.

The meeting was adjourned at 2:54 PM.

Provided by  
Karen Kaplowitz