

**Faculty Senate Minutes #550
John Jay College of Criminal Justice**

Tuesday, March 14, 2023

1:40 PM

Zoom

Present (34): Chevy Alford, Elton Beckett, Ned Benton, Janice Bockmeyer, Serguei Cheloukhine, Silvia Dapia, Peter Diaczuk, Jonathan Epstein, Jessica Gordon-Nembhard, Heath Grant, Jonathan Gray, Amy Green, Maki Haberfeld, Emily Haney-Caron, Mohammad Islam, Veronica Johnson, Karen Kaplowitz, Catherine Kemp, Edward Kennedy, Kyoo Lee, Joseph Maldonado, Brian Montes, Ray Patton, Ana Pego, Susan Pickman, Maureen Richards, Robert Robinson, Stephen Russell, Francis Sheehan, Liza Steele, Thalia Vrachopoulos, Adam Wandt, Zhun Xu, Sung-suk (Violet) Yu

Absent (5): Raisa Castillo, Frank Chen, Yuk-Ting (Joyce) Lau, Anru Lee, Marie-Helen Maras

Guest: Professor Gerald Markowitz

AGENDA

- 1. Adoption of agenda**
- 2. Approval of Minutes #549 of the March 2, 2023, meeting**
- 3. Governance Reports**
- 4. UFS Elections**
- 5. Definition of Majority Vote for Governance Bodies**
- 6. Discussion: Promotion of Lecturers**
- 7. Grading for Attendance and Participation**
- 8. New Business**

1. Adoption of agenda. Approved.

2. Adoption of Minutes #549 of the March 2, 2023, meeting. Approved.

3. Governance Reports

President Ned Benton reported that today is the Faculty Senate's 550th meeting.

Senator Jessica Gordon-Nembhard reported on behalf of the Senate's Committee on Racial Justice & Inclusion, of which she is chair. The committee was very glad to welcome Joseph Maldonado, the newest member, adding that the committee is always looking for new members. Chevy Alford and Lissette Delgado-Cruzata are working with work-study students on understanding a baseline for our curriculum. The committee sent the Executive Committee

suggested questions for a faculty survey about pipelines to Senate membership and leadership and has been deliberating about the new faculty hires, focusing on ways to avoid bifurcation. The committee is also trying to establish a web page and requested permission to be added to the Senate's webpage on John Jay's homepage. President Benton suggested a link be put on the Senate webpage to the committee page on CUNY Commons, in order to provide the committee with immediate access and immediate ability to post. Materials on the JJ homepage can only be posted by the college's webmaster, which often takes weeks or longer.

President Benton reported that the Middle States Visiting Team visitors – who have been on campus since Sunday evening – have been extremely complimentary about our college. His sense is they're very impressed with the college. He described the team members as very dedicated and earnest, very constructive, and very intensely deliberating about all manner of things. They noticed we don't have the resources they expected us to have, given our size and mission.

Senators Heath Grant, Jonathan Gray, and Susan Pickman had just finished lunch with team members, having volunteered to do so, and all three reported that the team member each lunched with was very impressed by John Jay and that the experience was extremely pleasant and positive.

4. Elections:

University Faculty Senate: Continuing their 3-year terms are Ned Benton, James De Lorenzi, and Karen Kaplowitz. The following were elected to fill seats representing the full-time faculty that will become vacant in May:

Elected to represent the full time faculty for the 2023-26 term:

Bettina Carbonell – English

Heath Grant – LPS

Paul Narkunas – English

Elected to represent the full-time faculty for the 2023-24 term:

Denise Thompson – Public Management

5. Definition of Majority Vote for Governance Bodies

President Benton reported that there's a division of opinion as to the requirement of either a majority affirmative vote of the membership or a majority affirmative vote of those present. The Senate's position has always been a majority of the membership. The John Jay administration has said there's been a change in this but he and Karen have discovered there is no consensus about this. He and Karen recommend, therefore, that if we want to solve this at John Jay we need to amend our college bylaws to require a majority of the membership. Furthermore, because we've just amended our charter to permit faculty to waive their right to vote while on leave, there is no hard and fast definition of a majority of the members. Senator Sheehan noted that at the Executive Committee of the College Council the new definition has been applied to a vote that would have failed under the previous definition.

6. Discussion and vote: Status of Lecturers

President Benton reported that Tony Balkissoon, our legal counsel, checked with other CUNY campuses and he says that the language in our FPC Guidelines is not consistent with NYS law, or CUNY bylaws. Thus lecturers can't be promoted to assistant professors. One option is to wait for CUNY and the PSC to act. President Benton proposed another approach: the college could authorize lines for assistant professors and could then restrict eligibility to those candidates who have or are serving as a lecturer with CCE at John Jay. The search committee would be the FPC. When some senators questioned the permissibility of such an approach, President Benton said he would consult with legal counsel.

Senator Chevy Alford said that at other CUNY colleges, colleges asked for a waiver from CUNY Central to move a lecturer to an assistant professor position. President Benton said dependence upon CUNY to grant a waiver is not a good situation for lecturers.

7. Grading for Attendance and Participation

VP Karen Kaplowitz explained that she had asked that this item be placed on the agenda after reading a February 8th email to the faculty from Dean of Faculty Angela Crossman that stated:

Faculty members often ask what the College policy is on student attendance. While we are not officially an attendance-taking institution, there is relevant policy guidance in the [Faculty Handbook](#) for undergraduate and graduate classes (pg. 30). Your attendance policy should be clearly stated on your syllabus – and students should not be penalized both for lack of attendance and lack of participation (that is a double penalty for the same absences). Beyond that, faculty have broad discretion in this area.

VP Kaplowitz said she has always treated attendance and participation as two entirely different things: one is whether the student is present and the other whether the student participates, whether by asking questions, making comments, speaking in small group sessions, etc. She said that quoting the Faculty Handbook as a source when it has never been vetted much less approved by a faculty group, to her knowledge, is very troubling. She recalled that two or three years earlier, several student leaders brought to UCASC a complaint that some of their professors were counting both attendance and participation in the final course grade and they argued that this was double counting; the then dean of undergraduate studies, Dara Byrne, and virtually every faculty member of UCASC disagreed and told the students that attendance is entirely different from participation. The faculty said that a student could be present all semester but never participate and that a student could be absent several times and yet have a record of excellent participation. She said that this statement in the faculty handbook could be the grounds for a student's grade appeal or complaint against a professor.

Senator Jessica Gordon-Nembhard said she has a list of ways for students to earn points for participating but that she doesn't want to give them participation points for just showing up and, that, furthermore, students won't show up if we don't take attendance.

Senator Janice Bockmeyer said she saw that policy and changed her syllabi accordingly as well as because a student called her on it. She noted that online courses have created a lingering sense by students that they don't need to be in the room. We must treat attendance separate from participation because they are two separate things.

Senator Stephen Russell said the entire handbook needs to be looked at and that he hadn't even realized we have a faculty handbook.

Senator Francis Sheehan said this is an academic freedom issue. Administrators should not be telling faculty how to determine our grades. He said he grades for attendance as part of participation. A basic requirement of earning any participation points is showing up. He added we have to be careful as to what we source as the basis for our decisions because we don't want to unwittingly validate such sources.

Senator Cathy Kemp pointed out that the handbook is guidance and, therefore, should not include language that purports to be policy.

President Benton said the status of the handbook and attendance policy are two separate issues. VP Kaplowitz agreed, noting that it seems that no one on the Senate even knew there is a faculty handbook, much less its content, and yet it's in its 3rd edition [dated Fall 2022]. She and Senator Cathy Kemp volunteered to review the handbook to determine if there are other entries that should be brought to the Senate's attention. President Benton said their report about this and a further discussion about grading attendance versus participation would be on the next agenda.

The meeting was adjourned at 2:54 PM.

Provided by
Karen Kaplowitz