

FACULTY SENATE MINUTES #111

John Jay College of Criminal Justice

October 5, 1994

3:15 PM

Room 630 T

present (28): Yahya Affinnih, Arvind Agarwal, Michael Blitz, Ira Bloomgarden, Orlanda Brugnola, Heesa Costa, Edward Davenport, Jane Davenport, Peter DeForest, Robert DeLucia, P. J. Gibson, Elisabeth Gitter, LOU Guinta, Diane Hartmus, Elizabeth Hegeman, Zelma Henriques, Karen Kaplowite, Richard Koehler, Leona Lee, Tom Litwack, Barry Luby, Jill Norgren, Dan Pinello, Edward Shaughnessy, Carmen Solis, Maurice Vodounon, Agnes Wieschenberg, Bessie Wright

Absent (10): Janice Dunham, Pat Gary, Arlene Geiger, Laurence Holder, Gavin Lewis, James Malone, Peter Manuel, Henry Morse, Charles Reid, Davidson Umeh

AGENDA

1. Announcements from the chair
2. Approval of Minutes #110 of the September 21 meeting
3. Budget report
4. Proposed resolution: base equity reallocation
5. Proposed resolution: on transmitting the names of department chairs to the Board of Trustees for action
6. UFS resolution on discriminatory recruiters on campus
7. Issues of retention, graduation, and academic standards:
Invited Guest: Testing Director Virginia Gardner

1. Announcements from the chair

The Better Teaching Seminar on September 27 on the "Personnel Process: Reappointment, Tenure, and Promotion" was praised as having clearly filled a need: more than 50 people attended, ranging from faculty who are teaching for the first time this semester to faculty who have been here more than 20 years. Professor Jane Bowers was the panelist who spoke about her experiences as a successful candidate for tenure and promotion and her contribution as well as those of Professors Jannette Domingo, Eli Faber, Marilyn Lutzker, Serena Nanda, and Harold Sullivan were praised.

Senator Jill Norgren said that in light of the very important contribution of Professor Bowers who spoke as someone who had gone through the process, she has asked, with the concurrence of the coordinator of the Better Teaching Seminars, a former student of hers

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who graduated in June and who is now attending Fordham Law School if she would consider participating in the Better Teaching Seminar on "Mentoring Students Who Wish to Attend Law School (or Graduate School)" on November 3 and the student, Yvonne Morales, has enthusiastically agreed. Senator Norgren said that Ms. Morales is such a proud John Jay graduate at a time when we are hearing such bitter comments from so many failed law school candidates that it was wonderful to be visited by her and to talk with her. She said Ms. Morales is thrilled to be on the Better Teaching panel: that in addition to her enthusiasm, Ms. Morales is a very pragmatic woman who has a lot of information that we should hear as faculty. President Kaplowitz reported that another graduate, recommended by Professor Patricia Johnson (Law, Police Science & CJ Adm) will be on the panel: Peter Silver, who also graduated in June, is attending Hofstra Law School.

The following day another Better Teaching Seminar will be on the topic of "When Issues of Domestic Violence Emerge in the Classroom," with Professors Gerrie Casey, P. J. Gibson, Suzanne Iasenza, and James Levine, and is being co-sponsored by the Women's Center, the Women's Studies Committee, and the Counseling Department.

President Lynch has accepted the Senate's invitation to meet with the Senate on November 15 (he is not available on December 9 because of a previous commitment).

Vice Chancellor Elsa Nunez-Wormack will come to the Senate on December 9, during our all-day Friday meeting. In preparation, the Senate will be meeting with various people to prepare ourselves for the meeting with the Vice Chancellor: Testing Director Virginia Gardner today, Registrar Donald Gray on October 20, and Freshman Studies Director Patricia Sinatra on November 2.

The College Council met on September 26 and unanimously approved the resolution presented by the Senate about the base level equity plan for reallocation of full-time faculty lines that Vice Chancellor Rothbard developed. The College Council also tabled, without prejudice, the Curriculum Committee items because the Council agenda was not received by the Council members until the day of the Council meeting.

The Middle States site visit of the Gurabo, Puerto Rico, branch campus is taking place this weekend: October 8 through October 11. Those who will be at the branch campus from the College for the site visit are: Professors Ned Benton (chair, Public Management); Patrick Collins (chair, Art, Music, Philosophy), Susan Larkin (chair, Physical Education and Athletics); Charles Lindner (deputy chair, Law, Police Science, & CJ Adm); Sydney Samuel (chair, Mathematics); Harold Sullivan (chair, Government); Ellen Marson and Pat O'Hara (Curriculum Committee); Martin Wallenstein (acting dean of undergraduate studies); Basil Wilson (provost); Gerald Lynch (president); Patricia Maul (assistant to the president); Rothlein (vice president for external affairs and planning); Roger W. Therspoon (vice president for student development); James Curran (dean of special programs); George Cockburn (director of planning); Robert Pignatello (director of public relations); Larry Seabrook (an alumnus and NYS Assemblyman); and George Sussman (from the office of the CUNY vice chancellor for academic affairs).

Senator Bloomgarden asked the source of the money for the travel and hotel expenses: he said if the source is the travel budget from which people are not reimbursed who go to conferences and conventions, that is a shame; if it comes from the funds for the

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branch oampus program that is something else. But, he said, that really is something that we have to know: are the funds coming out of our budget? He added that this information should be easy to ascertain. President Xaplowits said that the Budget Planning committee, which has been doing an excellent job, has nevertheless been unable to get any information about the budget of the branch campus even though the Committee has formally and in writing requested such information several times since the spring. She said she will relay this request for information to the chair of the Budget Planning Committee, Professor Benton.

Senator Qitter announced that a memorial for Billie Kotlowitz, who was the executive director of the Thematic studies Department for 22 years, will be held on November 7 at 4:30. Also, Senator Gitter reported, Billie had said that what she wanted established in her memory was a fund at John Jay to help students who are having a financial emergency so that they can stay in school. Senator Gitter said that anyone who wants to remember Billie by contributing to the fund can send a check made out to the "Billie Kotlowitz Memorial Fund" to her or to Mr. Robert Sermier, the College's Business Director.

The memorial for Professor Zao Maliwa, which was held two days earlier, sponsored by the Department of African-American Studies, was described as a remarkable event for a remarkable colleague.

President Kaplowitz noted that she had received a call from Senator Norgren earlier in the day reporting that to her surprise and dismay, the clock in her classroom had just been moved to a location above the blackboard and thus, necessarily, behind where she stands, which makes absolutely no sense. President faplowits said she called the Director of Buildings and Grounds, Terry Evangelista, who, she said, is always tremendously responsive to the needs of faculty and that not only was he surprised by the call, since he knew nothing about a decision to move any clocks, but because he said that of course instructors need to constantly know just how much time is left to the class period in order to make decisions about what to skip, what to spend extra time on, etc. He said that Professor Norgren should fill out a B&G [Buildings & Grounds] work order with a drawing of the classroom showing where she would like the clock moved to and he would have it immediately taken care of. President Kaplowitz said that when she remarked that she wished he had been the one making the decisions about the clock locations in T Building classrooms, because all the clocks in that building are above the blackboards and, therefore, behind the instructor. His response was that any instructor, in North Hall or T Building, who wants her or his classroom clock moved need only fill out a work order, with a drawing, and send it to him and it will be taken care of. He cited the late Professor Milt Loewenthal who taught in T Building and who said he cannot teach without being able to see the clock and so Mr. Evangelista had the clock moved to where Professor Loewenthal wanted it. She added that Mr. Evangelista said that he and his staff are here to serve the faculty and students. Mr. Evangelista also suggested that she announce this to the Faculty Senate so all the faculty can know of this option.

Senator Jane Davenport said that in the Senate/Chairs Phase II survey, at least 10 faculty members mentioned the location of the clocks in T Building as impeding their ability to teach. Senator Pinello said that some faculty teach in classrooms that have no clocks at all. It was suggested that they, too, fill out a work order requesting that a clock be installed and include a drawing showing where it should be mounted. Senator Brugnola suggested that

as we continue to plan for Phase II we consult with the B&G staff because it is quite likely that they have experiences and suggestions that we should incorporate into our recommendations.

Senator Wright said another persistent problem is the lack of sufficient numbers of classroom chairs for students. She said she spoke to BCG who explained that the College does not own enough chairs for the number of students taking courses at any one time. It was agreed that this issue will be discussed with the administration.

The new manager of John Jay's Barnes & Noble Bookstore, Michelle Rothman-Mendel, has expressed to the Senate president her intention to be responsive to faculty and student needs and concerns. President Kaplowitz said she conveyed to Ms. Rothman-Mendel some of the issues raised last semester, including the fact that students had expressed their anger over the higher prices of some titles at the John Jay store compared with the 19th Street Store and although the BLN manager and regional manager had denied this, the Student Council leadership and the Senate had confirmed the fact. Ms. Rothman-Mendel said that she has looked into this and has verified that B&N at 19th Street lowers the prices of those titles that are also being sold by the NYU Bookstore so as to be competitive with NYU. She said that she plans to match the 19th Street prices of those titles that are also being sold at John Jay and asked to be informed when anyone knows that there is a price differential she has not matched.

2. Approval of Minutes 1110 of the September 21 meeting

Minutes #110 of the September 21, 1994, meeting were approved by a motion made and carried.

3. Budget report [Attachments A, B, C, D]

Senator Litwack said that the Senate at the last meeting authorized him and President Kaplowitz to further analyze the base level equity plan and to either write to Vice Chancellor Rothbard about the Senate's concerns about the plan or to report back to the Senate at today's meeting. He said that they did the analysis and decided to report back to the Senate prior to writing to Vice Chancellor Rothbard because they wanted the Senate to authorize such a letter based on an updated analysis of the plan. He explained that they are recommending that the Senate authorize them to now write to Vice Chancellor Rothbard.

Senator Litwack said that according to Vice Chancellor Rothbard's plan, as currently stated, (if it goes through as stated), at the end of the 5-year phase-in John Jay would get 67 new full-time faculty lines, which would be worth at that time, about \$2.5 million. In other words, we would get \$2.5 million in funding to support 67 additional full-time faculty lines. But, we would also lose the equivalent of 67 full-time lines in adjunct money, which would amount to \$1.5 million. So that under the plan, although we would have a net budget gain of \$1 million after five years and we would also improve our full-time to adjunct ratio, we would not be able to provide any additional class or course sections, nor would we be able to reduce class size at all. Moreover, the fiscally advantaged senior colleges in CUNY have many more non-faculty full-time lines than we do that are not, apparently, accounted for by higher

enrollment, or by a larger physical plant, or by anything other than the fact that they are older and better connected than we are. And the plan announced by Vice Chancellor Rothbard, even though it is a great step forward, does nothing to redress the balance in the inequity among senior colleges in non-faculty full-time lines.

Senator Litwack explained that another way of looking at this is as follows: we will gain the equivalent of \$2.5 million in five years in the form of funding for 67 full-time faculty lines. But we will lose \$1.5 million in funding of adjunct faculty lines. So we would have an additional \$1 million a year added to our budget, which is a very significant addition to our budget. But those who were on the Benate last year or who read the Benate minutes last year know that the analysis we did comparing us with Lehman College, which we used as a comparison because the two colleges have virtually the same student enrollment, demonstrates that Lehman receives \$4.6 million more than we do annually that is not accounted for by any neutrally applied criteria. So under Vice Chancellor Rothbard's plan we would get \$1 million more annually. Lehman College would lose between \$300,000 - \$400,000 annually. The unjustified difference between the two colleges would thus shift from \$4.6 million to approximately \$3 million, but there would still be a tremendous difference in the funding of John Jay and Lehman, namely \$3 million.

Senator Litwack noted that this tremendous difference would be between not just John Jay and Lehman, but between John Jay and the other fiscally advantaged senior colleges and those colleges would still have all kinds of additional resources that we do not have for all kinds of uses, including hiring adjuncts, providing support staff, providing released time, providing a decent physical environment, providing secretaries for the academic departments, purchasing computers, and everything else we could think of. So that while the proposed plan is definitely a big step forward for us and a big step toward for our students, true equity has a long way to go. And so he recommends that the Senate's Fiscal Committee and President Kaplowitz be authorized to write again to Vice Chancellor Rothbard explaining how we see the situation, acknowledging what we have gained, but also recognizing what still has to be addressed.

President Kaplowitz referred the Benate to materials that had not been available two weeks ago: the Senate's Fiscal Committee has since tracked this information down. The first chart [Attachment A] shows the number of vacancies at each senior college: each college received this information but the names of the colleges were not included, except for one's own. John Jay is shown to be ranked 10th out of 10 senior colleges in terms of the number of vacant lines. The total number of vacant lines among the senior colleges last year was 626 and Vice Chancellor Rothbard's plan provides for the reallocation of 247 of them, that is, the faculty lines only. John Jay had (-1) vacant lines among faculty and non-faculty lines: that is, we had one more person on salary than we were funded for. The college with the next lowest number of vacant lines had 30 vacant lines. Remember, she said, that vacant lines are funded at 82% of their worth and colleges with vacant lines are choosing to keep them vacant and can use the money (the 82% of the worth of the line) in the ways that Senator Litwack just described.

Senator Gitter asked why the difference between John Jay and the next college would be a jump from (-1) to 30 vacant lines: should there not be a more gradually marked difference. President Kaplowitz said that John Jay has made the decision to fill all vacant lines: the college with 30 vacant lines chose to keep 30 empty. Senator Gitter asked whether those colleges chose to limit enrollment. The

reply was that these are vacant faculty and non-faculty lines: the 30 vacant lines could be all non-faculty. Also, some colleges have been unable to increase or even maintain enrollment, or they chose to increase class size. Also, some colleges fearing retrenchment keep lines empty so that if there is retrenchment they will "retrench" empty lines.

Senator Norgren asked how John Jay compares in terms of adjunct taught sections. The reply was that John Jay now has the highest percentage of course sections taught by adjuncts. Senator Bloomgarden said that some CUNY colleges probably are like the SUNY system which has a good number of sections with 300 and 400 students. Senator Norgren responded that, for example, Hunter's political science department does offer a number of courses with 125 students but faculty who teach those sections get credited with 6 credits, not 3 credits, and, in addition, they get graders (they arrange with the Graduate School to have doctoral students work as graders). But they have agreed pedagogically as a department to do this and they have the classrooms that make this possible. For those of us who from a teaching viewpoint do not want to go in this direction, she said, we know what an important factor the size of our classrooms plays.

Senator Litwack said he is speculating but the reason for the difference may be because we choose to have such things such as the Criminal Justice Center and the Office of Special Programs: we may use lines for all kinds of activities like that which may be very important whereas other colleges may not be doing similar things. He said it is impossible to know without more information about the other colleges.

The next chart [Attachment B] shows the dollar figure that each senior college receives for each student FTE. [The Full-Time Equivalent number is determined by multiplying the number of student-by the number of credits they are registered for and dividing by 15. For example, John Jay has a headcount of 9500 students but our number of FTE's was 6,701 last year (because many students attend John Jay on a part-time basis or take only 12 credits). The chart shows that in 1992-93, the top ranking college in terms of funding per FTE was funded at \$6,550 per FTE, while John Jay received \$4,661 per FTE. The chart shows that in 1993-94, the differential was between \$6,835 per FTE and \$4,829 per FTE at John Jay. Thus, John Jay's per FTE funding increased by \$200 while the most advantaged college increased by \$300 per FTE.

Senator Litwack said it is his own thinking that the differences between John Jay and the most fiscally advantaged colleges are not actually quite as great as they appear here because, for example, other colleges do have bigger physical plants. If these figures are based on total funding for the college rather than on funding for instructional costs, then the differences are accounted in part by such things as the physical plant. He said the other colleges do get more money that is unjustified by any neutrally applied factors but at the same time they also get more that is justified by neutrally applied factors, such as a bigger physical plant, and the fact that some courses have to be more teacher intensive, and so the difference is probably not quite as bad as it appears here, but it is bad.

The next chart [Attachment C] is one of the many charts that Vice Chancellor Rothbard distributed when he came to the Senate in December. One can see how much lighter a teaching load characterizes the faculty at the more fiscally advantaged colleges. Senator Norgren asked whether the Graduate Center figure of 23 credits a year as the teaching load can be explained. Senator Litwack said that the

figure does not make sense to him either because when the President of the Graduate Center came to John Jay last semester to meet with the doctoral faculty here and President Horowitz was asked what is the teaching load of faculty who teach at the Graduate School, President Horowitz said the faculty teach 3/3. Senator Litwack added that, furthermore, it occurred to him after that meeting that the teaching load is probably less than 3/3 and that he had not asked the right questions of President Horowits. President Kaplowits said that she thinks the explanation is that the Graduate Bohool faculty are credited with 3 credits for every dissertation they supervise and thus their "teaching load" is not a reflection of the number of courses they actually teach.

Another chart that was distributed is from Vice Chancellor Rothbard's July 7 document announcing the 1994-95 budget and the base level equity plan. The last column, entitled "grand totals," shows that in 1994-95, with the implementation of the first year of the base level equity reallocation, the annual budget for John Jay is \$32 and Lehman's is \$42 million even though this year, for the first time, John Jay exceeded Lehman in terms of the number of student FTE's. And so the budget difference of \$10 million, in a very small budget, is actually a one-third difference, which is very telling.

Benator Litwack said he wished to add a technical point to be clear: the difference in our funding for the first year of the 5-year base level equity reallocation does not really represent how much more money we will be getting eventually. The first year funding for full-time faculty lines is based on a 10-month year: in other words, facult are hired in September and are paid through June. So the first fear we get considerably less money than we will get, on the average, each year in the future. But on the other hand, at the end of the 5-year plan, we will make up only one-fourth of the unjustified difference between us and Lehman but, he added, this should not be seen as insubstantial either.

President Kaplowite said that even though she and the Fiscal Committee have been working on a letter to Vice Chancellor Rothbard, which Senator Litwack has written several drafts of, they were concerned that a letter saying 'thank you but this is not sufficient' might redound negatively on the College and so she and Benator Litwack and Professors Harold Sullivan and Ned Benton have met with President Lynch, Provost Wilson, Vice President Smith, and Budget Director Sermier. She said that on the one hand the faculty leadership feels very strongly that we should put on the table the issue that the reallocation plan is indeed very modest as Vice Chancellor Rothbard has said but on the other hand we do not want to alienate the Vice Chancellor by saying that the plan is not good enough. She said that based on the consultations, she and Senator Litwack, as well as Professors Sullivan and Benton, think a letter should be sent. She said that, if authorized by the Benate, a third version which Benator Litwack is now drafting would be sent by her and the Senate's Fiscal Committee.

She said that one of the reasons that they are recommending that a letter be sent is the unanimous action taken by the Faculty Senate of CCNY. She noted that Vice Chancellor Rothbard calls base equity a "very modest" plan and Benator Litwack says the plan as stated will bring us only within one-fourth of equity after five years. But the Faculty senate of City College, a college which is scheduled to lose quite a number of vacant lines, characterizes the plan as a "radical redistribution" and "potentially divisive" and calls on the Chancellor to withdraw it.

But in the letter that Chancellor Reynolds wrote to the council of Presidents committee that is charged with looking at the base level equity plan, the Chancellor makes it clear that she is supporting the plan. Furthermore, Chancellor Reynolds refers to two previous redistributions of vacant lines, in the 1970s and in the mid-1980s after the early retirement initiative. The Chancellor wrote: "Such a reallocation of the instructional base budget has been undertaken periodically. In the late 1970s the instructional cost model was used by the State Division of Budget each year to adjust regular faculty positions due to enrollment changes. In the mid-1980s the University reallocated several hundred faculty positions among the senior colleges following the enactment of the first early retirement incentive program. At the community colleges the reallocation of resources is a regular feature of the annual allocation process."

Also, President Kaplowitz said, she and Senator Litwack obtained a copy of a document that Vice Chancellor Rothbard sent to the CUNY presidents in 1985 in which he announces his plan to redistribute vacant lines that became vacant as a result of the early retirement initiative (which is what the Chancellor referred to in her letter): at the time of the early retirement initiative, 700 lines were reallocated among the colleges and no one objected; now, 247 lines are being reallocated over a 5-year period and there is tremendous opposition. Therefore there is precedent, and it is historically within the purview of the Chancellory to reallocate lines.

The Senate authorized the Senate president and the Fiscal Committee to convey these questions and concerns in a letter to Vice Chancellor Rothbard on the Senate's behalf [Attachment D].

4. Proposed resolution: base equity reallocation: Senator Litwack
[Attachment E]

Senator Litwack moved a resolution [Attachment E] which was seconded. Senator Litwack explained that when he learned from President Kaplowitz about the resolution of the Faculty Senate of City College, he thought it was important that we have a resolution in response, especially since a meeting was about to take place of the Council of Faculty Governance Leaders on September 30, which he attended with President Kaplowitz at her request. He said that if the issue came up he thought it would be useful to have a resolution which could be moved as a substitute resolution to one that might be moved by another Faculty Senate leader. The Executive Committee of our Faculty Senate approved the resolution unanimously the day before the meeting of the faculty governance leaders. Senator Litwack said that since no one moved a resolution at the meeting of the faculty governance leaders, President Kaplowitz did not present their resolution, but that he thinks it would be helpful for the future if we adopted a resolution that speaks to the issues that the CCNY Senate resolution raises.

Senator Litwack said that in the proposed resolution for the first time we raise the point that the current inequitable disparity in funding is quite possibly illegal. Also the resolution points out that the most dollars that will be lost in the first year by any college is a grand total of \$44,700. He explained that is Vice Chancellor Rothbard's figure, not ours. And the second resolved clause says that all University resources should be studied for possible reallocation so that there is equity. In other words, he said, if this is all going to be studied by the Council of Presidents

committee, by the Board's fiscal committee, and by the full Board of Trustees, everything should be studied; that is, not just the reallocation of full-time faculty lines should be studied but the equitable allocation of all lines.

Senator Norgren said one of the ways the older senior colleges maintained their advantaged position was through their very established alumni, many of whom are represented by a variety of manifestations in the legislature. She asked whether we and the College have engaged the alumni association: she said it seems to her that although one can not replicate a 100-year-old or a 70-year-old alumni association, we could nevertheless turn to them and invest the alumni association with another and legitimate function. President Kaplowite praised the suggestion. She said that the Senate leadership would speak with Alumni Director Al Higgins: a letter to the alumni and alumnae would be a very smart course of action.

President Kaplowitz said she has spoken to her counterparts at the other CUNY colleges that will gain lines according to Vice Chancellor Rothbard's plan and all but one knew nothing about the plan and that one person had not seen any documents and did not know how many lines his college would receive. They were delighted to learn about the plan, of course. She said we have to do more educating of our colleagues, of our students, of our graduates.

Senator Pinello asked for more information about the statement in the proposed resolution that the current inequitable funding is "quite possibly illegal." President Kaplowite explained that a coalition of CUNY faculty and students filed a lawsuit two years ago against the NYS Legislature and against Governor Cuomo and other State officials for funding SUNY much more generously than CUNY: the lawsuit, which has survived a motion to dismiss, argues that the equal protection clause of the State Constitution has been violated since most of CUNY students are students of color and SUNY has very few students of color. The lawsuit shows that over the ten years since the State took over the funding of the CUNY senior colleges, if the two university systems had been treated equitably, CUNY would have received half a billion dollars more than it has. The reference to possible illegality is that the fiscally disadvantaged colleges of CUNY, most of which have a large proportion of students of color, might have to resort to a lawsuit against the CUNY's Central Administration if the inequity in funding is not corrected administratively. Senator Pinello said that as someone new to CUNY this semester he would like to know whether this lawsuit is sufficiently common knowledge by those who will receive the resolution that they will understand the significance of the phrase. Senator Litwack said everyone who gets the resolution will immediately understand what we are talking about. President Kaplowite said that the lawsuit has received tremendous publicity in the world of higher education and the Chancellery is extremely well informed about the lawsuit.

The resolution was adopted by unanimous vote [Attachment E].

5. Proposed resolution: on transmitting the names of department chairs to the Board of Trustees for action

President Kaplowite explained that in June the faculty member of the CUNY Board of Trustees called to ask why the names of the new and re-elected and appointed department chairs had not been forwarded by John Jay to the Board of Trustees for action by that body at its June

meeting. President Kaplowits said that although she receives the Chancellor's Report and the University Report, the two documents which the College sends monthly (as does every college) with recommended Board actions about appointments, tenure, promotions, leaves of absence, changes in title, etc., the names of elected and appointed department chairs have never been included. She had not known, she said, that they should be. But she checked the College's Charter and the Board Bylaws.

Article II, Section 2, of the John Jay Charter of Governance states that "The chairperson of each department shall be the chief executive officer. He or she must hold professorial rank, and shall be elected by secret ballot for a term of three years by a majority of all voting members of the department, subject to the approval of the President of the College and the Board of Trustees [emphasis added]. Elections shall be held in May of the year in which the chairperson's term expires. The new chairperson shall take office as of July 1 of the year in which he or she is elected." The Board requirement that it approve department chairs is stated in Section 9.1 of the Bylaws of the Board of Trustees.

The other CUNY colleges comply with this required procedure. The procedure provides department members (and others) with a way to testify to the Board of Trustees at the Board's public hearing and to have faculty representatives on the appropriate Board of Trustees Committee report on concerns or opposition because of procedural irregularities, etc., should any occur.

President Kaplowits explained that the Senate's executive committee knows of no such concerns nor of any opposition to any elected or appointed department chair or to any election or appointment procedure. Rather, this resolution is to ensure that John Jay faculty henceforth have the same rights and options as other CUNY faculty and that the mandated process is followed should there be any problems that need to be articulated in the future.

President Kaplowitz said she conveyed this information to the College administration in June upon receiving the inquiry from the faculty trustee and was thanked (they had not realized the requirement) and was told that the chairs' names would be forwarded for action at the September Board meeting but that did not happen nor have that names been forwarded for the October Board meeting.

A resolution was moved and seconded: "Resolved, That the Faculty Senate calls upon the College administration to annually forward, as a matter of course and as required by the John Jay Charter of Governance and by the Board of Trustees Bylaws, the names of department chairs following departmental elections in May to the Board of Trustees for action by the Board as well as the names of faculty appointed to the position of chair. And be it further Resolved, That this resolution be sent to the President, the Provost, the Council of Chairs, the Director of Human Resources, the PSC Chapter Chair, and to those responsible for the preparation and transmittal of this material to the Board of Trustees."

The resolution was unanimously adopted.

6. UFS resolution on discriminatory recruiters on campus: senator Pinello [Attachment F]

Senator Pinello said he had been approached by John Jay's Lambda

club, which had been active in the removal of ROTC from the college because of the military's position against lesbians and gay men being in the forces. The Lambda members are concerned that there is still military recruitment on campus by the various branches of the military and they want to know what can be done because the College's support of the military is arguably a violation of CUNY policy.

Senator Pinello explained that the University Faculty Senate last week passed a resolution recommending that individual campuses consider the issue and take a position on it [Attachment F]. It turns out that the Faculty Senate of City College pre-empted everyone by having done just that last December: they called upon the CCNY president to make such a determination with regard to military recruiters. Since then, a Congressional action was taken, earlier this year, that removes Department of Defense funding from any institution that would prohibit military recruiters. So City College has not acted because it wants a University-wide policy about military recruiters.

The CUNY Council of Governance Leaders met last Friday and endorsed the University Faculty Senate resolution and requested the Chair of the UFS, Professor Sandi Cooper, who is a member of the CUNY Board of Trustees by virtue of her position, to submit the matter to the CUNY Trustees for action by that body. Senator Pinello said he had just spoken today to UFS Executive Director Joan Baum who informed him that the request had been sent on to the appropriate person or persons and the matter will appear on the agenda of the appropriate Board of Trustees committee at some time in the future. As a result, he is requesting that the Faculty Senate of John Jay address the issue. He said he will draft a resolution for consideration by our Senate at our next meeting.

senator Jane Davenport said this is a national issue and asked whether we know what is happening at other campuses. Senator Pinello said that some campuses have taken the position that military recruiters may not come on campus: the University of Wisconsin is such an institution and various other universities have also taken this action. There is the SUNY situation of not permitting military recruiters on campus which has been supported by a New York State Supreme court decision saying that that action was authorized, given the Governor's Executive Order. He said that he did not think the Federal legislation has been a situation of push come to shove, mainly because the Federal legislation is so recent and has not necessarily been implemented by the Clinton administration, for obvious reasons, although that might change.

President Kaplowitz said that she, like Senator Pinello, received calls from members of Lambda and she has also received calls from many faculty who are disturbed by the presence of military recruiters because of the military's discriminatory policy. She said the faculty members who called her referred to the Senate's pivotal role four years ago when John Jay terminated its contract with ROTC because of its discriminatory policies toward lesbians and gay men.

President Kaplowitz noted that the UFS resolution had been passed by unanimous vote and that the issue had been brought to the UFS by a member of the CCNY faculty. The Council of Faculty Governance Leaders also endorsed the resolution unanimously. CUNY has an anti-discrimination policy as do the City and the State. The Court ruling regarding SUNY that Senator Pinello spoke about was the result of a lawsuit and the Court ruled that SUNY must not permit military recruiters on campus because to do so would violate State policy prohibiting discrimination based on sexual orientation. It

does not seem that the Court ruling applies to CUNY but if the Board of Trustees says campuses should not permit military recruiters because of the military's discriminatory policy against lesbians and gay men then that becomes University policy. And if many or all of the campus Faculty Senates pass a resolution saying we are against discriminatory recruiters on our campus because we do not want to support such discrimination, the easier it will be for the Board to take a position on this.

So, unless there is opposition, she said, the plan is to put a resolution on this matter on the agenda of the Senate's October 20 Senate meeting. Today's item is for informational purposes so that the Senate members can think about the issue and invite those who might be interested in the issue to our next Senate meeting.

Senator Brugnola noted that the UFS resolution is **not** restricted to military recruiters but to **any** recruiters that discriminate and that would affect certain other employers that routinely recruit at John Jay, such as some of the police forces in some of the other states. President Kaplowitz said that she knows of no police department that has a stated policy of discrimination. She said the UFS resolution and the resolution that Senator Pinello is planning to present to our Senate are restricted to recruiters of organizations that discriminate as a matter of official, stated policy. President Kaplowitz pointed out that the policy of the military is that anyone who identifies himself or herself as gay or lesbian is not acceptable as a member of the military. She said that we are not talking about organizations that have no such discriminatory policy but might nevertheless discriminate: we are not and should not be an investigatory body.

Senator Pinello agreed and said that another example is the former government of South Africa which had a stated policy of racial discrimination. He said he does not think that a lot of organizations have explicit policies of discrimination but the American military is one that does.

7. Issues of retention, graduation, and academic standards: Invited Guest: Testina Director Virginia Gardner [Attachment G]

Testing Director Virginia Gardner was welcomed and was thanked for accepting the Senate's invitation and for helping the Senate to become more knowledgeable about the testing process and regulations.

Director Gardner said that she was pleased to accept the Senate's invitation and said that she will be speaking on her own behalf and that her opinions are not necessarily reflective of any person or department in the College. She distributed materials about the CUNY proficiency exams and sample exams. She explained that students receive the brochure she distributed and also receive a sample of the mathematics proficiency test, because that is the test that most people have the most concern about.

She explained that the Writing Proficiency Test consists of two essay questions: the student chooses one topic and writes an essay on that subject. The writing assessment test is scored by trained readers who score each exam from 1 to 6 or a score of 1, 2, or 3 is a failing score: scores of 4, 5, and 6 are pass scores. The writing test is read by two readers and by a third if there is a disagreement between the first two readers. A student who receives a grade of 1, 2, or 3 is told why and is referred to tutoring. The mathematics

assessment test consists of 20 arithmetic questions and 20 algebra questions, on the level of elementary algebra in high school. The descriptive test language series is the reading test. The new series, which we have not begun giving at John Jay, has been standardized at approximately an 11th grade reading level.

President Kaplowitz referred the Senate to a chart which Vice Chancellor Elsa Nunez-Wormack distributed at the September Board Committee on academia program planning and review [Attachment G]: the chart shows the percentage of students at each CUNY college who pass the reading, writing, and mathematics assessment tests upon entering the college. A footnote refers to two versions of the reading test: the new version which will be implemented has been made available by 80th Street to each college for pilot programs so the impact of the new test for that College's programs and policies can be assessed. John Jay has not yet begun its pilot program. President Xaplowitz explained that the new reading test is the one that Vice Chancellor Nunez-Wormack distributed to the members of the Board committee: it is a much more difficult test than the one currently in use. The current test has short reading comprehension passages whereas the new test has passages of increasing difficulty with the most difficult being a page long.

Director Gardner said that she has made a copy of a document that records the history of the skills tests, which she is giving to the Senate president: the history explains the Board of Trustees policy about the exams. The exams are the University's exams, they are not John Jay's exams. She offered to return if the Senate wishes to ask questions based on the materials she has made available.

Director Gardner said John Jay had originally given some form of its own placement tests prior to the Board mandate which was issued in the fall of 1978. At John Jay, each department made up its own test. In the beginning we gave three CUNY tests, which at that time were the California Achievement Test for reading rather than DTLS (Descriptive Test of Language Series), a mathematics test, and a writing test. We also gave the Nelson-Denny, which was the chosen placement instrument of the Communications Skills Department. In addition the English Department gave its own test and the Mathematics Department gave its own. So at that time, John Jay gave six tests. When Dr. Jay Sexter was provost [prior to Dr. Basil Wilson], he brought in a consultant from Fordham and they decided that it was not necessary to have these six placement instruments and that we probably could manage with just the CUNY placement tests. The CUNY tests have been used as placement tests but they were not devised as such. With the establishment of open admissions, there were many problems of students being in remediation without there being a coordinated effort among the colleges to give the students exactly what they needed in order to achieve college-level proficiency and to advance to higher-level college courses. Over a period of time, it was decided that CUNY proficiency tests would be given and that students were to be recommended for remediation and that there would be a more unified process: all the colleges would have the same test and the colleges were to decide how students would be placed in remediation.

The tests were also used for movement to junior status: a student has to pass these tests by 61 credits (the 61st credit is movement to junior status) at most CUNY colleges. If a student has not passed the tests by 61 credits he or she has to go through an appeals process. Originally the cutoff point was 78 credits at which point a student either had to be a non-degree student or go into an associate degree program until such time that he or she passed the

tests. The current cutoff, as approved by the College Council a year and a half ago, is 85 credits or two extensions, whichever comes first. Students are dismissed if they have not passed the test: there is a lot of discussion as to whether students should be dismissed sooner or later. The test is given to entering freshmen and to entering transfer students.

Senator Norgren asked who developed these tests. Director Gardner explained that each test has a CUNY task force: a writing task force developed the writing test, a mathematics task force developed the mathematics test. The reading task force chose the California Achievement Test and then soon went to the DTLs and now has chosen the newer version of DTLs. Senator Norgren and Senator Gitter said that the reading test is so badly written that they spotted an error in the very first question they randomly read. Senator Solis said that last year the academic Standards Committee looked at the tests and felt there were problems with the tests. She said that they had not seen the new reading test.

Senator Norgren asked about the pilot use of the new reading test. Director Gardner said the Board of Trustees has suggested that the colleges do their own pilot study so that each college will have a sense as to how the new test will affect placement and the new test is higher on the pass scale, so that students will have to score at a higher grade in order to pass. BMCC did a pilot study and reported back to the University that their students were placed back into remediation as a result of their students' scores on the new test. Each college was supposed to conduct its own pilot study to see specifically how its students perform on the new test and how that performance will affect the individual college. She said she has administered the tests but they have not been scored because to do so requires computer programming and the Computer Center has not written a program and no one has designed a pilot study. She said she is not willing to have the Computer Center write a program if there is no one to study and analyze the data. But both versions of the DTLs reading test were administered to 1000 students who entered for the fall 1994 semester. (In one room one test was given first and in another room the other test was given first. The tests were given in two rooms four times in various patterns. So the test results are ready to be evaluated when anyone is ready to do that.)

Director Gardner explained that transfer students who come in with fewer than 15 credits are block programmed like the entering freshmen, because most need basic skills courses. There is a rather large problem, not tremendous, but it does occur, whereby students have passed their English courses at another school and transfer here and cannot pass the CUNY writing test. If they are anywhere in the sequence of the writing courses, it is the English Department's determination as to what class they belong in and the CUNY test is not the monitoring test in that situation. But transfer students have to take and pass these tests by 60 credits and will get extensions to only 85 credits. Some of our transfer students come in with large numbers of credits: they arrive here and six weeks into the semester they receive a letter saying they have not passed the CUNY tests and that they will be dismissed from the College if they do not pass them. If they in fact have 85 credits and do not pass, they are out the next semester. There has not been a College policy to deal with students in that situation. She said she sends out many, many mailings to new transfer students and tries to have as many of them take the tests before they arrive here so they can take advantage of tutoring and retesting so they will not be in that position.

Some CUNY colleges use the tests as exit exams from skills

courses, Director Gardner explained. John Jay used to do that in Communication Skills courses and in English courses but we do not do that anymore and so the student must succeed with his or her courses on the one hand and pass the proficiency tests on the other hand, and must fulfill both requirements. Those are the three areas in which how the CUNY tests have interfaced: initial placement, exit exams from classes, and entrance into junior status.

President Kaplowitz said that she has heard from faculty at other CUNY colleges and has heard Vice Chancellor Nunez-Wormack tell the same thing to a Board committee: students at some of the other colleges, such as at CCNY, Hunter, and New York City Tech, are not permitted to take any college-level courses (core curriculum courses) until they pass the CUNY reading and writing tests. Director Gardner said that that is a college-specific policy: each college is permitted to handle this the way it chooses. John Jay has chosen not to handle it in any particular way but other schools are very firm about requiring a student who fails a particular test to go into a module or to go into a class and the student may not get out of that track until he or she passes the CUNY test. At New York City Tech, for example, a student must be reading and writing proficient in order to be permitted to take college level courses: this is written into the course descriptions. For some of NYC Tech's degree programs, a student must be math-proficient as well to take some of the courses. We have never written that into our course descriptions. Other colleges, such as Kingsborough, place students into sequences of modules that students have to move through and pass.

Senator Bloomgarden said he wished to point out that the CUNY writing test is an expensive test to administer and readers are paid. The University quite forcefully resisted the blandishments of short answer people, of multiple choice answer people, of people perhaps with expertise not different from many in this room who claimed that multiple choice answers could take the place of essay exams and the University, to its credit, took the presumably less efficient but in the long run more accurate method of essay tests.

The question was asked whether a study has ever been done of the graded writing exams at the various colleges. Senator Bloomgarden said that such a study is done every year. Each college has a chief reader and his or her job is to be imprinted by the Central Reading Committee. Every year there is a grading session at which there are perhaps 100 or 200 essays and the chief readers grade the papers. This committee of chief readers agree: this essay is a 6, this essay is a 5, this is a 4. Each reader must achieve an accuracy rate of at least 85%. The chief reader then goes back to his or her college and before each grading session there is what is called a norming session: papers are distributed blindly, grades are entered by the people who do the reading, and again if they do not come close to the number then testing continues until consensus is reached. If two readers disagree between a pass/fail (between a score of 3 or 4) another reader becomes the determiner.

Senator Bloomgarden explained that then a hundred exams or so are taken each semester from each CUNY college and are brought to an audit session and people from all over the University are brought to the audit session and they read papers from other CUNY colleges and once again audit compliance levels are created. Letters reporting the college's compliance accuracy level are then sent to the provost of each college. So there's quite a bit of quality control. There is quite a lot of money put into this.

Senator Bloomgarden asked which of the exams proves to be the

toughest for our students: how many students get to the do or die point of each exam. Director Gardner said that writing and mathematics are almost neck to neck in terms of the difficulty students have and in terms of the do or die situation. And, of course, she said, reading is a real problem for the ESL students. There is in the historical document a piece about the appeals procedure: a student is supposed to be in good academic standing in order to make an appeal. This is not taken into account at John Jay, unless a student is also academically dismissed. There are anywhere from 500 to 600 students who come up on her list every semester who are over 61 credits and have not passed the tests. A lot of the students pass on retest, a lot of them pass in basic skills programs, but there are 66 to 96 students who are dismissed each semester because they have not passed the CUNY tests and are at 85 credits.

The rule that students must be in good academic standing, which is a 2.0 GPA, is often disregarded at John Jay, Director Gardner noted. If a student is not actually dismissed who has less than a 2.0, that semester he or she may be given an extension with reference to the CUNY proficiency tests: that is not something she agrees with, she explained. A student with less than a 2.0 GPA who has failed all three tests has little chance of academic success if simply given an extension. These students need to stop and focus solely on their skills. According to Board of Trustees guidelines, students must have attempted the retest a minimum of two times in the area not passed: some of our students would rather not take the retest so they come up to 61 credits and have not yet taken the retests. They should be taking the retests when they are taking the skills courses but there is no monitoring of that at John Jay. According to Board guidelines, students must have completed the appropriate remedial courses offered by the College but we do not check for that either.

Director Gardner said there should be more of a monitoring system so that when students begin at John Jay they have their remedial needs addressed. It is not fair to say we have open admissions, she said, and let students flounder after admitting them. If they are deficient in their skills they should have access to courses, or tutorials, or modules, or whatever it is that they need to be built up to college level. Director Gardner said we adhere to the letter of the law but we do not follow through with the intent of what this process is supposed to be.

Senator Norgren asked if she understands correctly: an incoming student can accumulate 61 credits without passing the exams. They may have taken, but not passed the exams. And they may have taken the skills courses but still cannot pass the exams. Director Gardner said entering freshmen are all programmed into the classes they need and even second semester freshmen to a large extent are successfully guided into the correct courses, including remedial courses they perhaps could not get their first semester. After that there is no check. The third semester freshmen are really out on their own as to what they take unless the prerequisite checking is really working. Senator Norgren asked whether most of the students at the end of their first year have taken the tests again. Director Gardner said ideally they should have: retests are offered every semester.

Senator Norgren asked whether there is anything in the University's current regulations that requires students to take and pass the exams at the end of the freshman year and to not be cleared to register for non-remedial courses unless he or she passes them. Director Gardner said that there is no University policy. The University sets forth a basic mandate and then it is up to each college to implement the policy in its own way and some of the

colleges have instituted such a requirement but John Jay has not. Benator Norgren asked whether it is in that sophomore year that students are in that sink without skills situation. Senator Gitter said they are except that the numbers are really **not** very large: the students who come in with the weakest skills are in fact gone after the first year. Senator Gitter added that Director Gardner sees 20, 30, 40 very persistent students but if one looks at the overall number of students, the way the system functions is that the students with the weakest skills are gone, one way or another: they fail out, they get discouraged, they get stuck in courses that they really do not want (they want, for example, to study criminal justice but they can't do that because they need to pass Government 101). In some de facto way that is how the system works.

Director Gardner said that on Friday she is giving the writing retest and there are over 2,000 students slotted to take the retest. Of the 600 knocked down to 400, there will be perhaps 200-300 who have completed 61 credits and need to take the writing test. There is an increasing percentage of ESL students. She said that when she and Dean McHugh were on the appeals committee, they gave ESL students an extra semester automatically by virtue of their being ESL students. But now that the College Council has passed the policy of 85 credits or two extensions, ESL students suffer as a result. She said the College tries to be more pro-active: ESL Director Nydia Flores and the ESL Resource Center offer more and more tutorials, there are tutorials for ESL students who have scored 6 to prepare them for the writing test and they will be given the test again in November. The basic skills tutorials in reading, and writing, and mathematics are given on Fridays for between 3 and 4 hours and the students taking the tutorials will be given a retest in November. There is a January immersion program between the fall and spring semesters. In June there is a basic skills program at the end of the spring semester and the students who do not pass this are assigned with the entering freshmen for the July skills program. She said we do everything we can in these tutorials.

Senator Solis reported that SEEK has developed a monitoring system and is now reviewing all the students who failed the test at least twice and is looking at the effects of tutoring and the other services, all of which are being monitored. Director Gardner noted that there are groups of people who are trying to work with the students but John Jay itself does not have a policy of holding the students in remedial classes until their skills are at college level.

President Kaplowitz thanked Director Gardner and suggested that we consider the issues raised and the information we have been given and review the materials she has provided and if we have additional questions we will invite her back to the Senate. Director Gardner said she would be pleased to return if invited. She said that in the packet of materials is a study that Eli Faber conducted when he was dean: the study is of percentages of students who failed the reading, writing, and mathematics tests. Historically, the percentages have not changed notably over the years: they stay at 30%-40% who fail the (current) reading test and 60%-70% who fail the writing and mathematics tests.

Upon a motion duly made and carried, the meeting was adjourned at 5 PM.

Respectfully submitted,

Edward Davenport
Recording Secretary

SENIOR COLLEGES -- FULL-TIME POSITIONS 93/94

<u>RANKING°</u>	<u>1993-94 VACANCIES F/T</u>
1**	117
2—*	108
3	92
4	71
5	67
6	59
7	44
8	38
9	30
10 John Jay	-1

* Excluding CWE, Grad. Center, Law School, and Sophie Davis.

** Includes approximately 13 positions for new buildings that have not yet been filled.

*** Includes approximately 72 positions for new building that have not yet been filled.

June 1993

ATTACHMENT B

Senior College Allocation Per FTE Enrollment

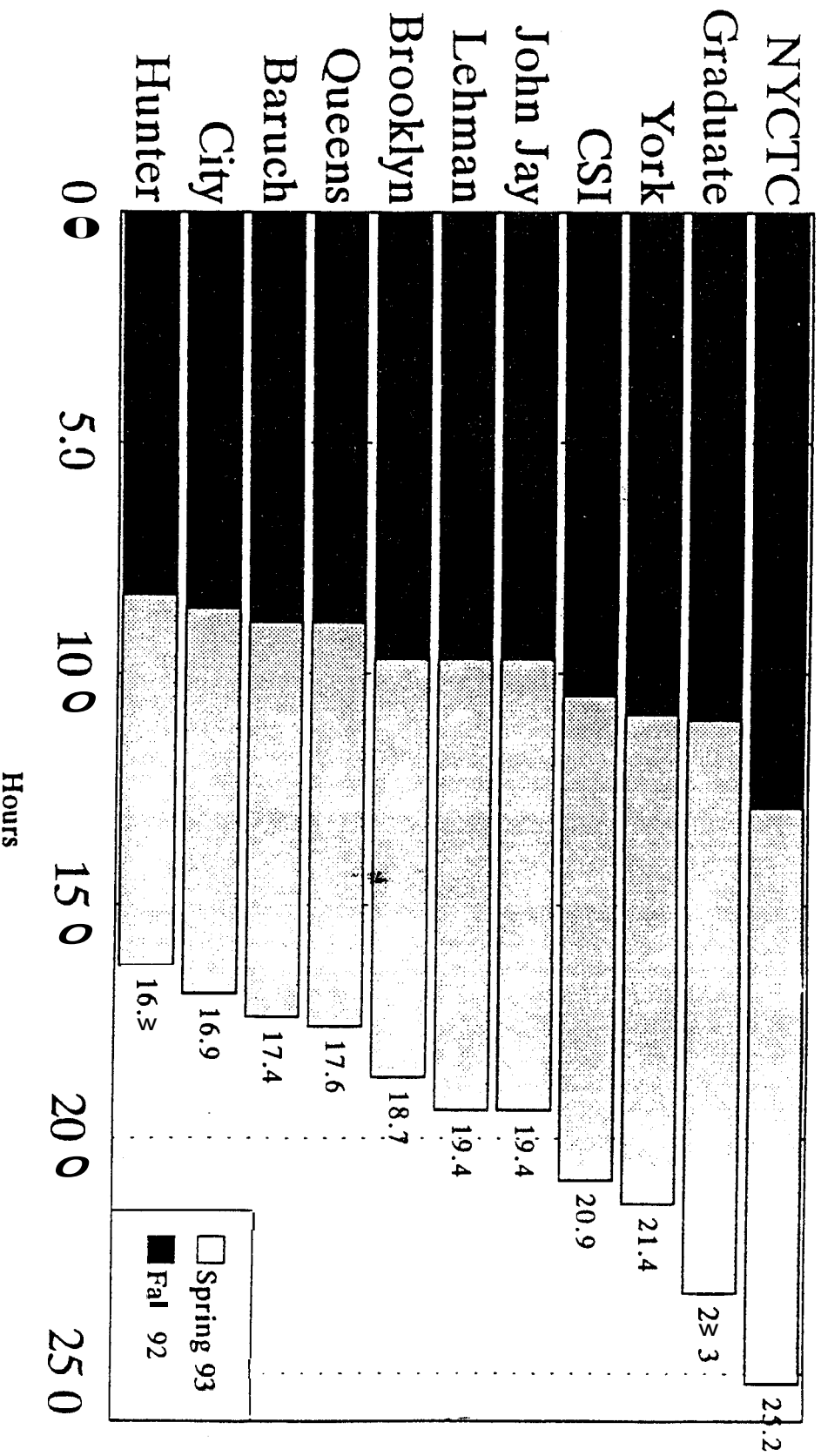
<u>Ranking</u>	<u>1992-93 Allocation Per FTE *</u>	<u>Ranking</u>	<u>1993-94 Allocation Per FTE **</u>
1	6,550	1	6,835
2	6,479	2	6,736
3	5,887	3	5,976
4	5,584	4	5,736
5	5,289	5	5,359
6	5,057	6	5,237
7	4,865	7	5,196
8 (John Jay)	4,661	8 (John Jay)	4,829
9	4,638	9	4,805
10	4,488	10	4,689
Average	5,419	Average	5,600

* Represents year-end budgets per actual FTE enrollments, excluding contract course FTE's.

** Represents 7/15/93 allocations per projected FTE enrollment excluding contract course FTE's.

The City University of New York Senior Colleges

Average Teaching Load (Full Time Faculty), Fall 92 and Spring 93



Term	12.3	11.0	10.5	10.4	10.5	9.7	9.7	9.7	9.0	8.7	8.5	8.3	8.0
Spring 93	12.3	11.0	10.5	10.4	10.5	9.7	9.7	9.7	9.0	8.7	8.5	8.3	8.0
Fall 92	12.9	11.0	10.9	10.5	10.5	9.7	9.7	9.7	9.7	8.9	8.0	8.6	8.1

Source: CUNY Teaching Load Report.



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

The City University of New York
 445 West 59th Street, New York, N.Y. 10019
 212 237-8000 / 8724

October 6, 1994

Vice Chancellor Richard F. Rothbard
 City University of New York
 535 East 80th Street
 New York, NY 10021

Dear Vice Chancellor Rothbard,

We are again writing to you, at the direction of the Faculty Senate, regarding the plan announced in your July 7th Memorandum for achieving "Base Level Equity" in full-time faculty positions among the senior colleges of the City University. At the outset, we wish to thank you again for forthrightly recognizing the "historic and continuing disparity between resource distribution and enrollment patterns" that has existed within the University, and for taking concrete and significant steps to address the resulting lack of equal educational opportunity faced by students of fiscally disadvantaged colleges, such as John Jay. We deeply appreciate the efforts that you and your Office have made to provide equal educational opportunity to all students of CUNY. However, as we indicated to you in our letter of September 19, the Faculty Senate does have questions and concerns regarding the proposed plan that we would like to bring to your attention now for your consideration.

1. Is a plan being developed to reduce the severe overall inequities in resource distribution among the CUNY senior colleges? We fully accept the gradual (5-year) approach you have taken to achieving "base level equity" in full-time faculty positions. It appears, however, that even after the proposed 5-year plan is carried out, historically advantaged colleges would continue to have far more non-faculty positions (including vacant positions), and perhaps other resources, not accounted for by any neutrally applied criteria, than historically disadvantaged colleges. While we continue to agree with you, as we did in our letter to you of May 12, 1994, that a number of institutional and governmental considerations must be taken into account in the distribution of the CUNY budget, it appears to us that, in addition to the proposed plan, achieving equal opportunity for all CUNY senior college students will also require establishing greater equity in the distribution of non-faculty lines and other resources for faculty and student support services as well as in the distribution of faculty lines.

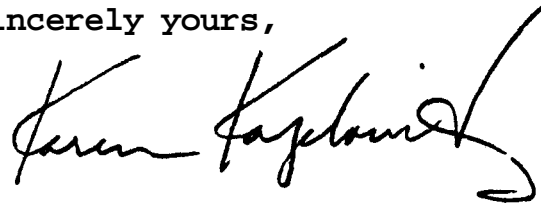
2. Given the significant overall underfunding of John Jay (and of similarly situated colleges) that will continue to exist during, and even after, the implementation of the 5-year plan, is the planned reduction in John Jay's adjunct budget truly justified? Cannot advantaged colleges retain their "teaching power" via the use of their vacant lines (both faculty and non-faculty)? And if we do not retain something like our current adjunct budget -- in addition to receiving more full-time faculty positions -- how will we be able to address the severe shortage of needed course sections, and the equally severe problem of overcrowded remedial and introductory classes, that currently face, and greatly disadvantage, the students of John Jay (even though virtually every full-time faculty member at John Jay, unlike at many other senior colleges, actually teaches the contractual 12/9 teaching load)? Frankly, it does seem to us that essential fairness and equity for all CUNY senior college students will not be achieved until all senior colleges are, at the least, given the funds and lines necessary both to have an adequate number of full-time faculty and sufficient total "teaching power" to meet the essential needs of their students. And, it also seems to us, this is a principal that all within the University who are committed to open enrollment and equal opportunity should be willing to accept and support. Thus, with all respect, we believe our adjunct budget should not be reduced as long as John Jay remains significantly disadvantaged regarding overall resource distribution compared to the relatively advantaged senior colleges of CUNY.

3. Given the severe underfunding of John Jay (and of similarly situated colleges) that will remain throughout == and even after == the planned attempt to achieve base level equity in full-time faculty lines, can "additional elements" beyond student FTE's be added into the "base level equity model" without unfairly discriminating against already fiscally disadvantaged colleges because of their more limited fiscal ability to achieve certain outcomes? The Faculty Senate does not object to the general principle that colleges -- and college faculties -- that make the greatest efforts of greatest quality should be rewarded in an appropriate and meaningful way. However, we believe it would be fundamentally unfair, for example, to add full-time faculty positions to colleges that evidence more "faculty participation in doctoral instruction, sponsored research, and other scholarly activity" -- even if such participation is determined by "standardized measures" -- if such greater participation is, and has been, significantly facilitated by the much greater ability of fiscally advantaged colleges to provide faculty members with released time, support services, and the like. And certainly measures of "educational outcomes" and measures of scholarly productivity should take into account the educational needs of different student bodies and the "teaching power" actually available at different colleges to meet those needs.

Vice Chancellor Rothbard
October 6, 1994
Page 3

In sum, we again applaud you and your Office for the very significant steps you have recently taken to address the "historic" inequities in the funding of CUNY's senior colleges. But we do believe that more needs to be done before true equity and equal opportunity for all CUNY senior college students (not to mention CUNY faculty) is achieved. We look forward very much to working with you toward this goal.

Sincerely yours,



Karen Kaplowitz
President, Faculty Senate



James Cohen
Chair, Senate Fiscal Affairs Committee



Tom Litwack
Senate Fiscal Affairs Committee

cc. Chancellor Reynolds
Deputy Chancellor Mucciolo
President Lynch
Budget Director Brabham



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

The City University of New York

445 West 59th Street, New York, N.Y. 10019

212 237-8000

RESOLUTION OF THE FACULTY SENATE
on the Allocation of University Resources

Approved by Unanimous Vote October 5, 1994

WHEREAS, It has always been within the regular function of the Chancellory of the City University of New York to allocate University funds among the colleges of the University, and

WHEREAS, An historic and continuing disparity between resource distribution and enrollment patterns has led to disparities of between 46.2% and 76.4% in the percentage of course sections taught by full-time faculty at various senior colleges, and

WHEREAS, The CUNY Board of Trustees has determined that 70% of all course sections at senior colleges should be taught by full-time faculty, and

WHEREAS, The extreme -- and quite possibly illegal -- disparities in the funding of the senior colleges has resulted in a denial of equal educational opportunity to the students of fiscally disadvantaged colleges, and

WHEREAS, The plan to achieve base level equity in full-time faculty lines among the senior colleges announced by Vice Chancellor Rothbard in his Memorandum of July 7, 1994, is so modest and reasoned that the maximum negative dollar impact of the plan, in its initial year, upon any CUNY senior college -- even the most fiscally advantaged of the senior colleges -- will be \$44,700, and, as stated in the Memorandum, "as a general rule, this process will not cause a shift from full-time to adjunct teaching at colleges that are losing lines, since these lines are already vacant and have been for several years," therefore be it

RESOLVED, That the John Jay College Faculty Senate commends the decision by the Chancellory to redistribute funded full-time vacant faculty lines to historically disadvantaged colleges and calls upon the City University Board of Trustees to support the planned redistribution of full-time faculty lines subject to the proposition that the issue of resource distribution within the University is a legitimate subject for discussion by both the Board and the Chancellory and, therefore, both the Board and the Chancellory should be willing, through proper channels, to have open and frank discussions with all concerned and affected bodies within the University regarding the subject of resource distribution, and be it further

RESOLVED, That Board and Chancellory discussions and Chancellory decisions regarding resource distribution within the University should consider not only the distribution of vacant full-time faculty lines but should also consider the distribution of all University resources, including vacant non-faculty lines, among the senior colleges, and should be guided at all times by the principle of providing equal educational opportunity to all CUNY students.

**Resolution of the University Faculty Senate
of The City University of New York
on the Presence of Discriminatory Recruiters on Campuses**

September 27, 1994

Whereas: The Faculty, the Students and the Administration have on many occasions and under many conditions affirmed The City University policy of non-discrimination, with reference to gender, race, ethnicity, national origin, religion, disability, age, veteran's status, marital status, and sexual orientation, and

Whereas: The on-campus presence of employment recruiters from such organizations violates the principle of non-discrimination of The City University of New York, and

Whereas: The laws of the City of New York prohibit such discriminatory practices, therefore, be it

Resolved: That the University Faculty Senate recommend that the college governance organizations consider the adoption of a policy to limit recruitment only to organizations that adhere to the non-discriminatory policies of The City University of New York and of the City of New York, and be it further

Resolved: **the University Faculty Senate recommend that** ~~That~~ organizations, public or private, that do so discriminate not receive direct or implicit aid or recognition from CUNY colleges.

Overwhelmingly Passed By the 219th Plenary Session of
The University Faculty Senate

Pass Rate on CUNY Skills Tests, by College First-time E-Examen Entering Fall 1993

	Pass Rate on Reading Test %	Pass Rate on Writing Test %	Pass Rate on Math Test %
Baruch	75.5	41.5	81.9
Brooklyn	78.9	57.0	84.3
City	77.3	54.4	74.7
Hunter	83.9	60.5	77.3
John Jay	77.4	46.3	43.8
Lehman	76.0	65.5	73.8
NYC Technical	63.9	33.3	37.6
Queens	87.8	70.0	77.6
Statea Island ¹	84.3	42.7	56.4
York	68.0	19.6	54.3
Total Senior Colleges	77.0	48.4	53.8
Bronx	55.2	17.9	22.5
Medgar Evers	66.4	22.1	27.2
Hostos	32.5	39.3	16.2
Kingsborough	67.5	33.1	33.5
LaGuardia	49.0	25.3	34.3
Manhattan ¹	66.8	39.2	37.8
Queensborough	63.7	43.8	34.4
Total Community Colleges	59.2	33.2	32.0
TOTAL UNIVERSITY	67.7	40.5	46.9

¹ Fall 1992 pass rates on the reading test have been reported for this college because in fall 1993 it introduced a new version of the test for which a University Standard has not yet been set.