

Faculty Senate Minutes #152

John Jay College of Criminal Justice

March 19, 1997

3:15 PM

Room 630T

Present (25): Yahya Affinnih, Michael Blitz, Dorothy Bracey, Effie Papatzikou Cochran, Elizabeth Crespo, Edward Davenport, Jane Davenport, John Donaruma, Janice Dunham, Elisabeth Gitter, Lou Guinta, Karen Kaplowitz, Andrew Karmen, Sondra Lanzone, Tom Litwack, Barry Luby, Ellen Marson, Robert McCrie, Daniel Pinello, Frederik Rusch, Carmen Solis, William Stahl, Adina Schwartz, Maurice Vodounon, Daniel Yalisove

Absent (13): Kojo Dei, Arlene Geiger, P.J. Gibson, Amy Green, Edward Green, Kwando Kinshasa, Gavin Lewis, James Malone, Mary Ann McClure, Jill Norgren, Marilyn Rubin, Davidson Umeh, Agnes Wieschenberg

Guest: Ulana Lysniak (Physical Education)

Agenda

1. Announcements from the chair
2. Approval of Minutes #151 of March 6, 1997
3. Faculty Senate sponsorship of PSC University-wide Election Forum with candidates for PSC President: Prof. Irwin Polishook (Unity Caucus) and Prof. Steve London (New Caucus)
4. Letters from Chancellor Reynolds and Vice Chancellor Rothbard in response to Professors Litwack, Kaplowitz, and Benton
5. Update on Board of Trustees & news about CUNY
6. Report by Freshmen Director Sinatra: skills courses pass rates
7. Proposal that the Senate survey faculty about their attitudes
8. Proposal that the Senate request that computer-generated class rosters identify students who lack prerequisite(s)
9. Discussion about ways to improve the procedures and rules of the College Personnel Committee

1. Announcements from the chair [Attachment A]

CUNY Trustee Jerome Berg will attend the Senate's April 3 meeting. He chairs the CUNY Board of Trustees' Committee on Academic Affairs and is a member of the Board's Committee on Fiscal Affairs.

The Gender Studies Minor, which was developed by the Women's Studies Committee, was unanimously approved by the Curriculum Committee on March 14 and will be voted on by the College Council

at its April 17 meeting. Senator Ellen Marson was congratulated and applauded for her excellent presentation of the proposal for the minor and for the news about the minor's approval. The Senate had endorsed a preliminary proposal for the minor a year and a half ago when Professor Jane Bowers presented it to the Senate. In the interim the proposal for the minor was included in the College's Academic Program Planning documents, after the Academic Program Planning Committee endorsed the proposal. Senator Marson thanked the Senate for its support, noting that the Senate was the first organization to endorse the Gender Studies Minor proposal.

The Curriculum Committee also unanimously approved the proposal for the Humanities and Justice major on March 14, which will go to the College Council for approval by that body at its April 17 meeting. The letter of intent sent by 80th Street to all the CUNY colleges met with universal support.

Senator Amy Green was praised for the wonderful study guide she has prepared for faculty who wish to assign their students to see Aristophanes' Women in Power, which is being staged during the first two weeks in April. This is the theatrical event of Women's History Month(s). Senator Amy Green is directing the play. The actors are all John Jay students.

The McCabe Scholarship and Memorial Breakfast held on March 14 in T Building was praised. The scholarship was created in honor of a member of the Guarda, the Irish police, who was killed in the line of duty while John Jay's International Conference was taking place in Ireland this past summer. Brooklyn District Attorney Charles Hynes was the keynote speaker.

President Kaplowitz reported that she testified on March 14 about John Jay's and CUNY's inadequate funding at the hearing held by the NYS Assembly Committee on Higher Education, chaired by Assemblyman Ed Sullivan. Professor Jane Davenport, as chair of the Librarians Association of CUNY (LACUNY), testified about the underfunding of CUNY libraries.

President Kaplowitz also reported that yesterday she and four other members of the UFS Executive Committee met with the incoming Vice Chancellor for Academic Affairs, Dr. Louise Mirrer, whose tenure at CUNY begins July 1. She reported that she invited her to meet with John Jay's Faculty Senate next year and Dr. Mirrer accepted the invitation with alacrity.

Appreciation was expressed to the organizers of the March 21 faculty retreat on teaching critical thinking: Professors Mavis Aldridge, John Donaruma, Betsy Gitter, John Pittman, Jerry Markowitz, Karen Kaplowitz and Harold Sullivan. More than 100 faculty have signed up thus far.

80th Street has just released its report on the number of lower division (freshman and sophomore) FTEs at each college and the number of upper division (junior and senior) FTEs at each college during the Fall 1996 semester. [The number of student FTEs is calculated by multiplying the number of students by the number of credits they have enrolled in during a given semester and dividing by 15.] 80th Street's definition, in this report, of lower-division FTEs is the number of FTEs who have completed 60 credits or fewer; the number of upper-division FTEs is the number of FTEs who have completed 61 credits or more. John Jay has far more lower-division FTEs than upper-level FTEs.

Senator Betsy Gitter said that if the Gurabo branch campus FTE's are included in that report, John Jay's lower division FTE's would be understandably quite disproportionately heavy. President Kaplowitz agreed, but explained that the Gurabo branch campus students are not counted among John Jay's FTEs in this report. She added that an analysis of this report will have to be done. A copy of the report, showing the FTEs in each division, in each discipline, and in remedial courses at every senior college, is available from the Faculty Senate Office, and will be included with the agenda of a forthcoming Senate meeting.

This report is important for several reasons: portions (lump sum allocations) of a college's funding are calculated on the basis of the number of upper-division FTEs versus the number of lower-division FTEs. Upper level FTEs are funded much more richly than are lower-level FTEs because it is believed that upper-level courses, usually electives, should have a lower student/teacher ratio than introductory and general education courses which are usually taken by lower-division students.

Assemblyman Adriano Esquillat had offered to drive from Albany today as soon as the week's session ended at 2 PM this afternoon in order to meet with the Faculty Senate, as scheduled, but the Senate Executive Committee suggested that a time and date more convenient to the Assemblyman be arranged and that his willingness to come at great inconvenience would be reported with appreciation to the Senate. He is a newly elected member of the legislature, representing District 72 and is among the legislators assigned to John Jay by 80th Street for informational meetings. The others are Senators Franz Leichter and Roy Goodman, and Assemblymembers Scott Stringer and Ed Sullivan. (All have been guests of the Faculty Senate, thus far, except Senator Goodman.)

2. Approval of Minutes #151 of March 6, 1997

By a motion duly made, Minutes #151 of the March 6, 1997, meeting were adopted.

3. Faculty Senate sponsorship of PSC University-wide Election Forum with the two candidates for President: Professor Irwin Polishook (Unity Caucus) and Professor Steve London (New Caucus)

The Senate's Executive Committee proposed inviting the two candidates for president of the Professional Staff Congress to a Faculty Senate-sponsored election forum on April 1 at 3:15 PM in Room 203 T. The candidates are Professor Irwin Polishook, of the Unity Caucus, and Professor Steve London, of the New Caucus. Senate Vice President Daniel Pinello would serve as the timekeeper and President Kaplowitz would serve as the moderator.

Vice President Pinello said that many faculty are asking their colleagues for advice as to which individual and which slate they should vote for. In response to the need and the expressed wish for guidance in this important election this forum is, indeed, an important event and it is fortunate, Vice President Pinello said, that we have a Faculty Senate able to organize and sponsor such an event. He said this is a good opportunity for

faculty to see and hear and ask questions of the two candidates standing for election for leadership of the union.

President Kaplowitz added that the Executive Committee is recommending that the Senate take a position of neutrality in this election. The forum would begin with ten-minute opening statements by each candidate. Then the audience would be invited to line up at the microphones, one of which would be designated for questions of Professor Polishook and the other for questions of Professor London. Each questioner would have one minute. The candidate who is asked a question would have two minutes to reply and, the other candidate would then have two minutes to also reply or to respond to his opponent's statement. The questioners would be called on by alternating between those at each microphone. This is the format agreed upon by both candidates, subject to the Senate's formal approval and invitation.

President Kaplowitz said that Professor Jerry Markowitz was instrumental in brokering the arrangements at the request of the Senate's Executive Committee. She noted that had there been no Faculty Senate to sponsor the election forum, it have been unlikely that the event would take place.

She also explained that the Executive Committee had planned to videotape the forum for those who are unable to attend on April 1, but the first candidate whose permission was asked said he did not wish the forum to be videotaped and so it will not be. She said she will not say who that candidate is because the other candidate, had he been reached first, might have also said no. Since one candidate said no, the other candidate was never asked.

A motion to sponsor the election forum passed unanimously.

4. Letter(s) from Chancellor Reynolds and Vice Chancellor Rothbard in response to the letter from Professors Tom Litwack, Karen Kaplowitz, and Ned Benton [Attachment B & C]

In response to the January 21, 1997, letter sent at the direction of the Faculty Senate to Chancellor Reynolds [see Attachment D of Minutes #149 (dated February 6, 1997)], written by Professors Tom Litwack, Karen Kaplowitz, and Ned Benton, the Chancellor sent a response as did Vice Chancellor Richard Rothbard [Attachment B].

Senator Tom Litwack said that Vice Chancellor Rothbard's memorandum basically states that while John Jay is underfunded it is not that underfunded. He explained that he and his two colleagues are preparing a letter to Chancellor Reynolds in response that will say that John Jay is, in fact, truly underfunded and that we look forward to meeting with her when it is convenient for her to do so [see Attachment C].

Vice Chancellor Rothbard's very complimentary sentence about the John Jay faculty was noted [see Attachment B -- second page]. In speaking about the progress of Base Level Equity at John Jay whereby John Jay has been able to increase the number of full-time faculty, Vice Chancellor Rothbard states that "This progress could not have happened without the strong and reasoned voices of the John Jay faculty."

President Kaplowitz noted that the basic flaw in Vice Chancellor Rothbard's analysis is that he does not acknowledge the difference in student FTEs between John Jay and Lehman and, therefore, his figures are not relevant. That, she said, will be the thrust of our response [Attachment C].

5. ~~Update on the CUNY Board of Trustees and news about CUNY~~

A series of newspaper articles that were published during the past week was distributed to the Senators. In them, Trustee Badillo's stated desire to have a 12th grade skills admissions test for admission to any CUNY college, including the community colleges, is reported. President Kaplowitz noted that the issuing of the upper-division and lower-division FTEs at each college referred to in the chair's announcements (page 2, above) is seemingly in response to the Board's request for data, which will be analyzed by the Board.

President Kaplowitz suggested that we consider ways to enhance the already excellent work of the Office of Admissions so as to recruit even more transfer students (who may not have more than 60 credits but who are on their way toward earning more than 60 credits) as well as academically better prepared students. She noted that only 16% of John Jay's entering freshman, have a high school average of 80 or above.

6. Report by Freshman Director Patricia Sinatra on DASS rates Of skills courses [Attachment D]

Freshman Director Patricia Sinatra has released a report she compiled of the pass rates of Fall 1996 entering freshmen with reference to the skills courses they were enrolled in, data not previously compiled about a class of entering freshmen. [The full report is available from the Senate office: see Attachment D for one table included in the report.] The report shows the number of students who passed and the number and percentage who did not complete each skills course. (The "did not complete" category is a combination of the following grades: R, F, WU, WA, W, INC.)

Senator Betsy Gitter said the poor pass rate of students shown in this report is not new: it has been true since 1976. Senator Frederik Rusch agreed, saying the English skills course pass rates during the past 20 years or more have been the same as those in this report. Senator Gitter said the same is true of the pass rates of the Communication Skills courses.

President Kaplowitz suggested that this has not been widely known outside one or two departments. She suggested that faculty consider developing proposals to present to the Standards Committee, either directly or through the Senate president, who is a statutory member of the Undergraduate Standards Committee. One issue of concern is that students who have not completed basic skills courses nonetheless frequently enroll in academically demanding college-level core courses and this negatively affects the students' ability to ultimately succeed in college at the same time that it negatively affects our College's retention and graduation rates.

7. Proposal that the Senate survey faculty about their attitudes

Senator Tom Litwack said that he would want to see the survey instrument before acting on this proposal. He said that a general survey of faculty opinions and attitudes is not useful. A more specific survey about the degree to which people feel respected at the College and peoples' attitudes toward things that can be changed without a greater influx of resources or without major changes in policy would be useful, But a general survey regarding what people are dissatisfied with would not be useful. The result of a too broad survey would be that those concerns that could be addressed would be lost among a mass of useless data . And so, he said, he is for a specific survey but not a general survey of faculty attitudes.

Senator Lou Guinta suggested we review survey instruments that already exist so we don't reinvent the wheel. Senator Litwack said he would like the Senate to authorize the Executive Committee to review existing surveys and to develop a survey instrument for the Senate's consideration.

Vice President Pinello suggested that we invite suggested questions and then the Executive Committee could evaluate those suggestions and work on preparing a proposed instrument for consideration by the Senate next Fall if the Executive Committee decides that such an approach is practicable. The Senate concurred with this course of action.

8. Proposal that the Senate request that computer generated class rosters identify students who lack course prerequisite(s)

President Kaplowitz explained that the ad hoc prerequisite checking committee, chaired by Acting Associate Provost Kobilinsky, is meeting next week on March 27. One proposal that could be presented to the committee is to adopt an approach to prerequisite checking that she has learned about from her counterparts at some of the other CUNY colleges. At those colleges, the class roster includes an asterisk next to the name of each student who has not fulfilled the course prerequisites. This computer check of prerequisites is conducted after registration but before the rosters are sent to the instructors. In this way, those instructors who view this issue as important can meet with students whose names are marked with an asterisk and can decide whether the student may or may not remain in the course. If the instructor decides that the student does not have the appropriate and necessary background to continue in the course, the instructor could inform the student about options the student can pursue, including seeing a counselor.

Senator Adina Schwartz spoke against putting instructors into the position of gatekeeper. She said that students often present compelling life stories and that she does not want to be in the business of judging the merits of their requests to have course prerequisites waived. She said that this approach to prerequisite enforcement would put the instructor in a potentially adversarial relation with her or his students, and would necessitate the instructor having to justify letting some students stay in the course without the prerequisites while not permitting others.

President Kaplowitz noted that one approach can be to not permit any student to remain who has not met the prerequisites and so there would be no judging between students. Senator Schwartz asked whether the proposal calls for permitting all students to enroll, whether they have taken the prerequisites or not, and then leaving it to the instructor to decide whether to enforce the prerequisites. President Kaplowitz said that is what is happening now except that instructors currently have no way of knowing which students have, in fact, taken the prerequisites.

Senator Schwartz asked if the computer can mark rosters with asterisks indicating a student has not taken the prerequisites, why can't the computer block students from taking courses for which they have not completed the prerequisites. Noting that Computer Director Peter Barnett has told us it is impossible for the computer to block courses because the computer is not powerful enough to do that during registration, unless we are willing to have a month-long registration process rather than the current 8-day process, President Kaplowitz explained that the asterisk marking phase of the process would be after registration is completed but before faculty receive the rosters. She added that Dr. Barnett's audits show that students are in courses without the prerequisites, but the individual instructors do not know which students have completed the prerequisites.

Vice President Dan Pinello reported that this semester he is teaching two sections of a senior seminar of 45 students and that he distributed an information form the first day of class: one of the questions on the form asks the student's class standing. Of the 45 students, 8 were juniors and 2 were sophomores, although one of the prerequisites of the course is senior class standing. He said he contacted each of the 10 students and half volunteered to withdraw and the others gave reasons why they should remain.

Senator Michael Blitz posed the situation in which two students have the asterisk next to their names, revealing that they have not completed the prerequisites: one student is someone the instructor knows and about whom the instructor is confident would be capable of successfully completing the course but the other student is either someone the instructor doesn't know or is someone the instructor knows to be unlikely to be capable of successfully completing the course. To the first student the instructor either says nothing or tells the student that he or she may remain even though the prerequisites have not been met and to the second student the instructor says that the student may not remain because the prerequisites have not been met. What is the legal liability, he asked, with regard to the student who is told to drop the course when that student learns that another student without the prerequisites was permitted to remain.

President Kaplowitz said that if the catalog description says "or permission of the instructor" then there is no conflict between the instructor's action and the stated prerequisites. If the permission waiver is not listed in the catalog, the instructor cannot waive the prerequisites but the Registrar can do so at the instructor's request.

Senator Tom Litwack said that if a student is permitted to get through registration and enroll in the course that could be legally construed as permission of the Registrar. President Kaplowitz said that she, too, had believed that to be true and had said so at a Senate meeting but has since investigated the matter and has learned that it is not true. Senator Litwack said that a

judge may not agree with that position were a student to bring a lawsuit. President Kaplowitz suggested that the kind of lawsuit we should concern ourselves about is a lawsuit filed by a student who graduates without the ability to read and write at the level one can reasonably expect of a college graduate and who, for that reason, cannot get suitable employment. Senator Litwack acknowledged this but added that at the same time he thinks Senator Blitz's question does not have an easy answer.

Senator Litwack added that he supports the proposal to have rosters marked with asterisks identifying students who have not completed the course prerequisites but he pointed out that we do not receive the class rosters until after late registration has taken place. He noted that we cannot require students to switch courses after late registration is over. President Kaplowitz agreed that that is a serious drawback to the proposal. She noted, on the other hand, that at registration students receive personalized prerequisite check sheets that list the courses each student is eligible to take, based on the courses they have completed and on their placement test scores, and students may take only those courses that they are eligible to take and, thus, they may be barred from courses for which they are improperly registered.

Senator Litwack disagreed saying that the person at the registration terminal is an official representative of the Registrar's Office and if that person enrolls a student in a course then the student has been officially assigned to that course by the Registrar's Office. He added that, in addition, he does not think an instructor should have the discretion to remove a student from a course.

Senator Litwack added that he completely supports the proposal and that he is completely in favor of providing the instructor with this information as soon after registration as possible. He said that if he had that information he would call up the students who lack the prerequisites and tell them that they are making a serious mistake by taking the course and he would tell them that he will listen to no complaints whatsoever about the difficulty of the course and that he highly recommends that the student withdraw from the course but that, he added, is very different from giving the instructor authority to keep the student out of the course.

President Kaplowitz said the proposal is to provide asterisks on the roster alerting the instructor that the student has not completed the prerequisites: it does not say what the instructor should or may do with the information. Senator Litwack said he completely supports the proposal as presented, but he does not support giving an instructor the authority to remove a student from a course.

Senator Betsy Gitter said she is not in favor of the proposal: if there is anything worse than no prerequisite checking it is what is being proposed. Once again, she said, it puts the burden of fixing structural problems on the individual faculty members and it makes enforcement a faculty problem. This is not a faculty responsibility: it is an administrative responsibility. She said that every problem seems to turn into a faculty member's problem. She said she pictures untenured, junior faculty suddenly having loads of asterisks on their rosters and then having to decide whether their responsibility is to counsel each student, or to take a hardline position, or to overlook the lack of

prerequisites. She said she would not want to be in the position of a new faculty member having all this discretion and not being able to count on administrative support.

Senator Carmen Solis said she absolutely believes that there has to be prerequisite checking and enforcement but that the burden should not be on the faculty. She said it should be the Registrar's responsibility to ensure prerequisite compliance at the registration terminals. She noted that the new TAP regulations require that students carry a specific number of credits (as well as have a 2.0 GPA) in order to be eligible for financial aid. If a student registers for a class for which he or she does not have the prerequisites and the instructor receives this information when receiving the rosters after late registration and tells the student that the student may not remain in the course, that student may as a consequence have too few credits to be eligible for financial aid.

Senator Andrew Karmen said that echoing Senator Solis' point, we will be in a terrible position if we enforce prerequisites by preventing students from remaining in a class because they could lose their financial aid. Therefore, he said, we must develop preventive measures, rather than remedial measures after the damage is done, that is, after registration and late registration are completed. The simplest approach, following Vice President Pinello's example, is that if a student is a sophomore or a junior that student should not be permitted to take a 400-level course. Senator Karmen suggested that the registration material list the student's class standing, based on the number of credits the student has completed, and the prerequisite check would be simplified by being based not on whether the student has completed specific courses but rather on the student's class standing: for example, one approach could be that sophomores would not be permitted to take 300-level courses and juniors would not be permitted to take 400-level courses. That, he said, would be an accomplishment in and of itself.

President Kaplowitz said the difficulty is that each student goes to the computer terminals, asks the terminal operator for the courses he or she wants, and the terminal operators, who are John Jay students, type in the requested course codes and the student is now registered for whatever courses he or she has requested.

Senator Carmen Solis said she would like to be able to trace which terminal operators improperly register students in courses not listed on their personalized prerequisite check sheets. Senator Blitz said that there is a way to know which course registrations happen at which terminal on which day and at what time. In this way, the accuracy of each terminal operator's work could be traced and the operators would know that their continued work as terminal operators will depend on how well they do their job. He added that, as Senator Karmen has said, we have to prevent errors and this would be a way toward accomplishing this.

President Kaplowitz said she will bring these suggestions to the March 27 prerequisite checking committee meeting and that she will also report the Senate's opposition to having faculty bear the responsibility of prerequisite enforcement and would also report the Senate's opposition to having prerequisite enforcement take place after late registration has taken place and after students have already spent a week in their classes. She suggested the Senate continue discussing this issue when she reports about the prerequisite checking committee meeting.

9. Discussion about ways to improve the procedures and rules of the College Personnel Committee [Attachment E]

At its April 11 meeting, the College Personnel Committee, in addition to a scheduled personnel action, will consider proposals to revise the procedures and rules of the Personnel Committee. Upon learning this, the Senate's Executive Committee has developed proposals for consideration by the Senate: those proposals, if any, that are approved by the Senate will be forwarded to the Personnel Committee with the request that they be included for consideration and action.

Senator Bracey said she thinks most of the proposals are band-aid approaches whereas she believes we need more fundamental and major changes in the personnel process. Vice President Dan Pinello said undoubtedly the personnel process would benefit from major changes but given the fact that such changes could not be made easily or expeditiously, he is in favor of incremental improvements such as the proposals on the agenda.

President Kaplowitz explained that restructuring the process would require restructuring the composition of the Personnel and Budget Committee and this would require an amendment of the College Charter of Governance. Charter amendments require 75% affirmative vote of those College Council members present and voting but faculty are designated only 50% of the seats on the College Council. The other method of amending the Charter is by a referendum of no less than 75% of the full-time members of the instructional staff who shall vote in such referendum. (The full-time instructional staff comprises the faculty and HEOs [Higher Education Officers].)

It was noted that the John Jay Charter of Governance requires the Personnel Committee to propose policy changes to the College Council but historically that has not happened; rather, the Personnel Committee has historically set its own policies.

Modifications to several proposals and to the wording of proposals were agreed upon after lengthy discussion. Because several Senators had to leave the meeting for their 5 PM class, the Senate authorized the Executive Committee to mail the amended proposals to the entire Senate for vote by mail ballot. Those proposals approved by the Senate would then be forwarded to the members of the College Personnel Committee prior to their scheduled meeting [Attachment E].

By a motion duly made and seconded, the meeting was adjourned at 5:00 PM.

Respectfully submitted,

Edward Davenport  
Recording Secretary

## ATTACHMENT A

### Announcements from the chair

#### Election results for JJ delegates to the UFS announced

Professor Haig Bohigian (Mathematics) and Professor Jane Davenport (Library) ran unopposed for the two UFS delegate seats and, therefore, were declared elected. The three-year terms begin in May 1997. The other delegates are Professors Orlanda Brugnola, Karen Kaplowitz, and Maria Rodriguez. The alternate delegates who were elected to their one-year positions, beginning May 1997, also ran unopposed: they are Professors Ned Benton (Public Management) and Edward Davenport (SEEK/English).

#### Postcards available to protest the Governor's budget for CUNY

Printed postcards (paid for with non tax levy funds) are available in the English Department (first floor of North Hall) and in the Office of External Affairs (6th floor of T Building) for students and faculty and to communicate to their legislators about the devastating CUNY budget proposed by the Governor.

#### Awards ceremony June 2 for academic excellence

An awards ceremony for graduating students whose academic excellence is being recognized through those awards is being held on Monday, June 2, at 7 PM in the Theater.

#### Faculty and staff club advisors honored April 9

A reception honoring faculty and staff advisors of student clubs and organizations is Wednesday, April 9, at 3:30 PM in 630T. The reception is cosponsored by the Faculty Senate and the Office of the Vice President for Student Development.

#### At-large Faculty Senate election taking place

Ballots for the at-large representatives to the 1997-98 Faculty Senate were mailed: full-time faculty elect the 13 full-time representatives and adjunct faculty elect the 2 adjunct representatives. Ballots are due April 2 at noon at the office of Professor Katherine Killoran, Chair of the Faculty Elections Committee.

#### UFS Conference on April 11 on CUNY Central's initiatives

The spring 1997 University Faculty Senate Conference is on April 11, from 9 to 4, at CCNY. The subject is the impact of various CUNY Central administration initiatives. Among the panelists is Professor Ned Benton, who will speak about the various budget initiatives and their impact.

#### UFS Plenary to feature NYS Education Commissioner Mills

The University Faculty Senate's April 15 meeting will feature The New York State Commissioner of Education, Richard Mills). Non-delegates to the UFS may attend. The meeting is at 6:30 PM at the Graduate Center.

#### Student Council elections being held

The election for Student Council officers and members is taking place on May 7 and May 8. The election results are scheduled to be announced at 10:00 PM on May 8.

**Alumni reception to fund center to study domestic violence**

An alumni reception honoring Jim McCann ('74), owner of and CEO of 1-800-Flowers, is at the Tavern on the Green on April 7. The money raised by the event will be used to establish a center at John Jay to study domestic violence.

**Faculty development retreat set for March 21**

More than 100 faculty have signed up for the faculty development retreat on methods of teaching critical thinking. The retreat on Friday, March 21, is sponsored by the Faculty Senate, Council of Chairs, the President, the Provost, and the Vice President for Student Development. Faculty may still sign up by calling Professors Harold Sullivan or Karen Kaplowitz.

**Reception for graduates to follow commencement**

A reception for the graduates and their families will be held at John Jay on June 4 immediately following commencement. All faculty are invited to attend.

**CUNY Board Committees have new format**

The Board of Trustees has created a new format. Instead of two-hour committee meetings, the committees will meet in the large Board Room, Room 104, according to the following time schedule on the dates listed:

April 7, May 5, and June 2

- 3:00 PM Committee on Academic Affairs
- 4:00 PM Committee on Fiscal Affairs
- 5:00 PM Joint meeting of Academic Affairs and Fiscal Affairs

April 8, May 6, and June 3

- 3:00 PM Committee on Faculty, Staff, and Administration
- 4:00 PM Committee on Student Affairs
- 5:00 PM Joint meeting of Faculty, Staff, Adm & Student Affairs

The Board Committee meetings are open to the public, as required by the New York State Open Meetings Law.

The monthly meetings of the full Board of Trustees are in Room 104 at 535 East 80th Street at 4:30 on April 30, May 27, and June 23 and are open to the public.

ATTACHMENT B

**The City University of New York**

535 East Eightieth Street  
New York, New York 10021

The Chancellor

March 3, 1997

To: Professor Tom Litwack  
Professor Karen Kaplowitz  
Professor Warren Benton

From: W. Ann Reynolds 

Subject: Budget Matters

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Thank you for the letter regarding the 1997-98 budget. The attached memo from Vice Chancellor Richard Rothbard addresses your concerns.

I do **look** forward to meeting with you to discuss these matters, albeit, we are focusing our principal efforts on advocacy in relation to the State Budget. After the load lightens a bit, we will be in touch to schedule a meeting.

*The City University of New York*



*Vice Chancellor for Budget, Finance, and Information Services  
535 East 80th Street, New York, N.Y. 10021  
Voice: (212)794-5403 Fax (212)794-5515 Video: (212)737-6092  
e-mail: rfrbh@cunyvrn.cuny.edu*

MEMORANDUM

February 27, 1997

TO: Chancellor W. *Ann Reynolds*

FROM: Richard F. Rothbard *[Signature]*

SUBJECT: Letter from John Jay College Faculty

As per your request, I have reviewed the letter from the John Jay faculty leadership regarding various budget matters.

Since the fall of 1993, the senior colleges as a group have lost **28** full-time instructional teaching positions, a decline of 5.9%. During this same period, the number of instructional positions at John Jay increased by **36**, or 15.7%. Despite the obvious budgetary difficulties we have faced over the past three years, we have made real progress in strengthening John Jay. This progress could not have happened without the strong and reasoned voices of the John Jay faculty.

I, too, share their enthusiasm for the inclusion in the Governor's Executive Budget of support for additional full-time faculty positions to continue our Base Level Equity initiative. We are hopeful that we will achieve the necessary budget restorations that will enable us to allocate these lines in a manner similar to this year's approach which, **as** you know, was heavily informed by the principal of Base-level Equity.

The University took steps in the development of the 1997-98 Budget Request to make permanent changes to colleges base budgets. For John Jay, **28** BLE positions were incorporated in the base. The college's share of the senior college budget increased from 5.0% to 5.2%. The \$10.4 million difference in base funding between John Jay and Lehman College (the campus cited by John Jay faculty for comparative purposes) was reduced by **\$1.3** million, or 12.5%. In a budget-cutting environment, these changes may appear minor. Nevertheless, they do represent a significant realignment of University resources.

The faculty raised a number of issues relating to the University's Instructional **Staff** Model, adjunct funding formula, and enrollment projections. I will respond in greater detail under separate cover to all of the raised. However, I do want to point out that CUNY has been in the past, and will continue to be in the future, guided by the general principal that when major policy changes that have significant fiscal implications occur, all reasonable efforts are made to

## ATTACHMENT B (cont)

cushion negative consequences. In the case of John Jay, special efforts were made to assist the college with the negative revenue effects of the larger enrollment target.

The faculty **has**, once again, introduced a comparison **of** the Lehman and John Jay base budgets. In particular, they point to the **\$10** million differential in funding between the *two* schools. CUNY **has**, in general, accepted the proposition that relative to other CUNY senior colleges, John Jay is in greater need of additional resources. I would like to caution, however, that these numbers not be loosely accepted out **of** proper context. While the absolute figures are correct, we must examine what accounts for the difference. If you closely examine the staffing levels, you find that Lehman and John Jay have virtually identical numbers of instructional positions: John Jay 265, Lehman **268**. John Jay also has a greater number of adjuncts: John Jay 505, Lehman **481**.

The full-time staffing analysis reveals that John Jay has a greater number of non-teaching members of its instructional staff than Lehman: John Jay **134**, Lehman 115. John Jay also has a greater number of college assistants: John Jay 271, Lehman **166**. The **only** area where there is a major staffing difference is in the civil service titles: John Jay **118**, Lehman **266**. The difference in this category is greatly attributable to **1**) the difference in campus facilities (Lehman is nearly twice the size **of** John Jay in square feet), **2**) the greater number of academic departments at Lehman, and **3**) Lehman's use of CUNY Peace Officers over many acres. OTPS expenditures are **also** lower at John Jay, but understandably lower (**\$3.7** million at John Jay compared to **\$4.6** at Lehman in 1995-96) given the differences in the size **of** the facilities and the scope of the program offerings.

I cite these figures only to suggest that in order to compare numbers and evaluate differences, it is important to understand the bases of the numbers. I believe that the differences in the civil service titles can be narrowed. I also believe that the **\$3.7** million OTPS spending level must be increased. The University Budget Office will continue to examine alternative approaches to the allocation of University resources. I believe we must develop, in consultation with all of the colleges, a plan to ensure that CUNY adopts a system of resource allocation appropriate to meeting today's fiscal and programmatic challenges.

cc: Mr. Ernesto Malave



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

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

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April 7, 1997

Chancellor W. **Ann** Reynolds  
The City University of New **York**  
535 East 80th Street  
New **York** City, N. Y. 10021

Dear Chancellor Reynolds:

Thank you for your letter of March 3rd and the accompanying memorandum from Vice Chancellor Rothbard regarding our letter to you of January 21 concerning various budget matters. We appreciate your willingness to meet with us in the future to discuss the issues we have raised; and we fully understand your need, for the present, to concentrate on other matters. However, for the record -- and, more importantly, to allow for a fully informed discussion of our concerns when we do meet -- we believe we should *briefly* comment on certain issues at this time.

There are two aspects of Vice Chancellor Rothbard's memorandum that particularly concern us. We will come to them in a moment. But first we wish to make it clear that we hold Vice Chancellor Rothbard in very high regard and we sincerely appreciate the respectful attention he has paid to John Jay's budgetary concerns. We also very much appreciate the kind words he had for the John Jay faculty in his memorandum. Still, there are two aspects of his memorandum that we feel we must comment on.

First, in his analysis of the \$10 million funding difference between John Jay and Lehman College (Lehman being, of course, a college that we chose for comparison purposes), Vice Chancellor Rothbard nowhere made mention of the fact that as of Fall, 1996 John Jay has **33%** more **FTEs** than Lehman (**8245 v. 6207**). All of the comparisons made by the Vice Chancellor regarding John Jay and Lehman **need** to be viewed in the light of these enrollment statistics. Similarly, it is very noteworthy that currently John Jay has approximately **as** many FTEs **as** City College, but approximately **only** half of City's base budget.

Second, although Vice Chancellor Rothbard does recognize, in his memorandum, that John Jay is still relatively **underfunded** compared to other **CUNY** colleges, the thrust of **his** memorandum, it seems to us, argues that John Jay is not **very** underfunded. We respectfully disagree; and we hope to be able to discuss this matter further with you at your convenience.

In the meantime, we of course wish you all the best in your efforts on CUNY's behalf in negotiations with the State and with the City, **and** we wish to state that we are glad that you are carrying the fight for **us**. We **know** that **you** are **an** extraordinarily effective advocate **on** behalf of **CUNY**. And we will look forward to having the opportunity to meet with you to discuss our concerns regarding the funding of John Jay.

Sincerely yours,



(Prof) Karen Kaplowitz  
President, John Jay Faculty Senate  
(212) 237-8724



(Prof.) **Tom** Litwack  
Chair, Faculty Senate Fiscal Affairs  
Committee



(Prof.) **Warren** Benton  
Chair, John Jay College Budget  
Planning Committee

c: President Gerald W. Lynch

not complete their first semester **skills** course and the University's policy on completion of **remedial** and development courses an extensive college-wide academic referral and **support** network is needed for the Spring semester. Table 2 provides a distribution of fall 1996 entry-level skills enrollment, course completion for Communication **skills**, English and Mathematics courses. Attachment 1 is a distribution of grades by discipline and section.

Course	Enrollment <sup>1</sup>	Pass	Fail/Not complete	% not completing
Com 101 <sup>2</sup>	200	67	133	67%
Com 102 (SEEK)	49	35	13	27%
Com 102	239	221	18	8%
Com 103 (SEEK)	235	182	53	23%
Com 110	506	337	169	33%
Eng 011	32	9	23	28%
Eng 012	86	52	34	40%
Eng 013	136	101	35	26%
Eng 093 (SEEK)	47	19	28	60%
Eng 094 (SEEK)	79	33	46	58%
Eng 095 (SEEK)	141	87	54	38%
Eng 099	468	249	219	47%
Eng 100	692	287	405	59%
Eng 101	1071	802	269	25%
Math 095 (SEEK)	34	19	15	44%
Math 100	357	203	154	43%
Math 103	1223	571	652	53%
Math 104	1108	722	386	35%
Math 105	571	363	208	36%

Notes

<sup>1</sup> Enrollment includes students *coded E, 1*, and other advance standing students; the majority of students enrolled in these courses are entering and first semester freshmen.

<sup>2</sup> SEEK Com Skills 101 course grades were not available when this data was compiled

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From "Intersession Report on Entering and Second Semester Freshman Activities and t Intersession Immersion Skills Program," prepared by Dr. Patricia M. Sinatra, Director of Freshmen Programs and Coordinator of Basic Skills. The 7-page Report is available from the Faculty Senate Office.

N.B. The "did not complete" category is a combination of the following grades:



ATTACHMENT E

JOHN JAY COLLEGE OF CRIMINAL JUSTICE

*The City University of New York*

445 West 19th Street, New York, N.Y. 10019

212 237-8000 / 8724

April 10, 1997

To: John Jay College Personnel Committee

From: Professor Karen Kaplowitz  
President, Faculty Senate

In anticipation of the Personnel Committee's announced plan to consider at its next meeting, on April 16, revisions of its procedures and policies, the Faculty Senate developed and approved the following proposals for your consideration and action.

1. There are 29 members of the P Committee. A quorum is 25 (although by vote of those present, the quorum may be 23). Currently, an affirmative vote requires 15 votes. This means that 15 votes are needed whether 25 members are present, or whether 29 members are present, or whether 23 members are present. Thus some candidates are potentially disadvantaged if not all members are present.

Proposal: The quorum should be kept at 25. But an affirmative vote should require a simple majority (that is, half) of those present. Thus, if 25 members are present, 13 affirmative votes are needed; if 26 members are present, 13 affirmative votes are needed; if 28 members are present, 14 affirmative votes are needed; and if 29 members are present, 15 affirmative votes are needed.

2. Personnel Committee meetings are set in the Fall and additional meetings are added as needed: as a result, not all members can attend meetings because of schedule conflicts.

Proposal: The schedule of meetings should be set during the previous Spring, with extra meetings scheduled at that time, which would be cancelled if not needed.

3. Candidates who are not reappointed or who do not receive tenure often learn of this late in the Fall, which is when the voting takes place, leaving the faculty member only a single semester to find another position and this is often after the fall national conference of the candidate's discipline.

Proposal: Reappointments and tenure deliberations should take place as early in the Fall as possible, with meetings every available Friday in September and October, if necessary, so that reappointment and tenure decisions (and appeals) can be completed as early as possible. Promotion decisions could be later in the Fall or during the Spring.

4. A candidate's file is closed on June 1. But the semester's work, final exams, student papers, and final grades are due at the end of May and early June. This makes it difficult for candidates to both fulfill their teaching responsibilities and to devote sufficient time to preparing their file.

Proposal: Files should be closed June 15. Candidates may, of course, submit their completed file before that date.

5. The documents in a candidate's file are initialed by the candidate but no record is kept of what is in the file and thus documents can be removed without their absence realized.

Proposal: All documents in a file should be consecutively numbered and should be checked for the accuracy of the consecutive numbering by a member of the Provost's staff.

6. Each candidate is voted on after his or her case is heard and then the results of the vote are announced. This has the affect of setting a standard, either high or low, for all subsequent candidates in that category.

Proposal: Each candidate should be voted on after his or her case is presented and discussed but the vote should not be announced until all the personnel actions of all candidates in that category are completed. [N.B. This is the Faculty Senate's procedure when considering and voting on candidates for honorary degrees.]

7. Candidates' files are supposed to be reviewed by all members of the Personnel Committee. There is no mechanism to ensure or to ascertain whether this takes place.

Proposal: It shall be announced to all members of the Personnel Committee by the President of the College, who is the Chair of the Personnel Committee, that all Personnel Committee members have an affirmative duty to review the files of every candidate prior to consideration of a candidate at the Review Committee level and at the full Personnel Committee level. A sign-off sheet should be attached to the file of every candidate. When a member of the Personnel Committee finishes reviewing the file, the member should sign the sheet, indicating that he or she has reviewed the file. [N.B. The recommendation is that the files be reviewed. A distinction is purposely being made in this recommendation between reading and reviewing files.]

8. Attendance of members is not known. Departments elect chairs and faculty elect at-large members and students elect student representatives not knowing how fully the Personnel Committee members fulfill their obligation to attend meetings. Some members who do attend arrive late and some leave early, and thus are not present for all personnel actions taken that day.

Proposal: Action minutes stating the presence and absence of Personnel Committee members as well as their time of arrival and time of departure should be published. [N.B. Attendance minutes are required by the New York State Open Meetings Law.]

9. Only candidates for reappointment and tenure who receive a negative vote may appeal. Candidates for promotion require 11 affirmative votes in order to appeal (regardless of the number of members present and voting).

Proposal: All candidates receiving a negative vote should have the right to appeal for two reasons: because of due process and also because otherwise the CUNY rule forbidding a candidate from knowing the vote is violated because candidates for promotion automatically learn whether they have fewer than 11 votes, or whether they have between 11 and 15 votes by virtue of the rule regarding appeals. In other words, by knowing whether they may appeal or not, candidates learn the parameters of the number of affirmative votes cast.

10. The College President, to whom the Personnel Committee makes advisory recommendations, appoints the members of the three Review Committees on reappointment, tenure, and promotion.

Proposal: The Personnel Committee should elect a 3-member subcommittee of the Personnel Committee who shall select the members of each of the three Review Committees. Each Review Committee should then elect its chair from among its members. Only faculty elected by faculty (elected department chairs and at-large faculty representatives may serve as a Review Committee chair).

11. Two students serve on the Personnel Committee by virtue of the College Charter. They currently are among those who "present" a candidate's case to the Review Committee.

Proposal: Only faculty, who are peers of the candidates, should present a candidate's case to the Review Committee.

12. Proposal: Recommendation #6 (see above) should apply to both the Review Committees and to the full Personnel Committee.

13. Currently each Review Committee reports its recommendation about each candidate and that report includes the number of yes, no, and abstain votes. An abstain vote at that level most probably means that the member did not fully understand the pros or cons of the candidacy.

proposal: If a Review Committee vote on a Personnel action comprises more than one abstention, the Review Committee is to reconsider and then revote on that case before reporting to the full Personnel Committee.

14. Currently, a candidate may appear before the Personnel Committee only if he or she is appealing a negative vote.

Proposal: A candidate for tenure or for promotion may choose to make a brief (maximum 10 minute) presentation to the Personnel Committee prior to the Personnel Committee's consideration of the personnel action.

15. Currently, the members of the Personnel Committee may vote yes, no, or abstain. An abstention is counted as a negative vote. Members of the Personnel Committee should ask questions and raise issues if they do not feel they can vote yes or no.

Proposal: At the Personnel Committee, members may cast a yes or no vote. The members may not cast an abstention: in this way the Personnel Committee members will be required to fully consider and discuss the candidate's case before voting.

Thank you for consideration of these recommendations. I and my colleagues on the Faculty Senate look forward to receiving a report of the Personnel Committee's actions.

Sincerely,



Karen Kaplowitz  
President, Faculty Senate