

Faculty Senate Minutes #159

John Jay College of Criminal Justice

October 9, 1997

3:15 PM

Room 630T

Present (30): Michael Blitz, David Brotherton, Effie Papatzikou Cochran, Glenn Corbett, Edward Davenport, Jane Davenport, Kojo Dei, John Donaruma, P.J. Gibson, Edward Green, Lou Guinta, Karen Kaplowitz, Kwando Kinshasa, Sondra Leftoff, Gavin Lewis, Barry Luby, James Malone, Ellen Marson, Jill Norgren, Daniel Pinello, Jacqueline Jimenez-Polanco, Charles Reid, Frederik Rusch, Adina Schwartz, Lydia Segal, Ellen Sexton, Carmen Solis, Davidson Umeh, Agnes Wieschenberg, Bessie Wright

Absent (7): C. Jama Adams, George Andreopoulos, Arlene Geiger, Amy Green, Sandra Lanzone, Mary Ann McClure, Robert Rothchild

AGENDA

1. Report from the chair and announcements
2. Approval of Minutes #158 of the September 24 meeting
3. Proposed amendments to the Senate Constitution
4. Report on the CUNY Board of Trustees' September 29 actions with reference to placement tests and a proficiency test
5. Report on the status of John Jay's Phase II in the Board of Trustees' proposed capital project budget request
6. Proposed resolution: Resolved, That the Faculty Senate, while committed to open access, urges the Administration of the College to engage in a student recruitment drive designed to increase the numbers of entering freshmen who are better prepared academically for college-level study in light of the decreasing numbers and percentages of freshmen entering John Jay who pass the freshmen placement tests
7. Discussion of a ruling by JJ's Student Activities Association Board of Directors: student press freedom and the faculty adviser's role: Senator Michael Blitz & President Kaplowitz
8. Discussion of the lack of texts ordered for courses through JJ's B&N Bookstore: Senator Effie Papatzikou Cochran
9. New business

1. Report from the chair [Attachment A]

Senator Frederik Rusch noted that the Announcements [Attachment A] report the appointment of a vice president for

legal affairs and asked what the duties of the new vice president would be. President Kaplowitz said she was told by President Lynch that Vice President Diaz would be in charge of special projects such as Phase II and equitable funding for John Jay and that the office of personnel would also report to him. She suggested that we ask President Lynch for further information when he next meets with the Senate. Senator James Malone asked if we know whether Mr. Diaz is bringing his line with him from 80th Street or whether he will be occupying one of John Jay's scarce lines. President Kaplowitz said she had been assured by President Lynch that Mr. Diaz's 80th Street line, with its full funding, is being transferred to the College and so we are gaining his line and his salary, which will be imbedded in our base budget. She noted that another administrator who was transferred from 80th Street two years ago was also transferred with her line and its funding, which was imbedded in our base, something she doublechecked again as soon as she learned of Mr. Diaz's transfer.

Senator Jane Davenport reported that the offer to new faculty who were invited to recommend up to \$500 in library book purchases, a recommendation of the Senate in May which President Lynch enacted, is being extended to those new faculty who did not receive the letter extending the \$500 library purchase offer, either because they had not yet been officially hired or because the letter was misaddressed. Senator Jane Davenport noted that, in fact, all faculty are encouraged to submit any book purchase requests they might have. She said we should be aware, however, that the library is so understaffed that the recommended book titles sent in during the summer have not been ordered yet because of the lack of library personnel to expedite the paperwork.

2. Approval of Minutes #158 of the September 24 meeting

By a motion duly made and carried, Minutes #158 of the September 24, 1997, meeting were approved.

3. Proposed amendments to Article VII of the Faculty Senate Constitution: Executive Committee [Attachment B]

A series of proposed improvements by Senator Adina Schwartz in the language of the proposed amendments of the Senate Constitution, for the purpose of making clear and explicit the desired changes, were accepted by the Executive Committee. The proposed amendments, as amended, were approved by unanimous vote. [Attachment B] A copy of the nominating form for membership on the Senate committees is being distributed so Senators may self-nominate and nominate others (both senators and non-senators).

4. Update on the CUNY Board of Trustees' actions with reference to placement and proficiency testing [Attachment C]

The Board of Trustees unanimously voted on September 29 a series of resolutions [Attachment C]. One authorizes the chancellor to appoint a group of faculty to design a proficiency test for movement beyond 60 credits. Whether passing the proficiency test will also be

required for graduation from a community college or from an associate degree and any other use this test might be assigned is to be discussed and decided by the Board of Trustees at a later date, after the results of at least the first pilot study of the test is conducted. The pilot will take place at the end of this semester and, if needed, again at the end of the Spring 1998 semester, with the planned implementation of the proficiency test in Fall 1998.

The proficiency test is to be modeled on a reading and writing and critical thinking test used at Kingsborough Community College, where the test results comprise 30% of the final grade in the final English composition course at that college. The proficiency exam will follow the KCC model in that it is to involve a college-level essay distributed to students at least a week in advance; students would have the essay with them during the exam; the questions would not be known in advance; the test would involve multiple prompts (questions) and half of the score would be based on the writing of a long essay. The test is to be two hours. For the purposes of the pilot and because some worry that having the essay in advance will distort the test results, some of the students taking the pilot will receive a version that includes a reading selection that students will not have seen in advance and about which they will have to also answer questions in writing. [See Attachment D of Minutes #157 for a sample of the KCC essay and exam questions which will be the model.] This approach to a proficiency exam for movement beyond 60 credits (and possibly for graduation and transfer) was the unanimous recommendation of the English Discipline Council, the chairs of all the English Departments of CUNY.

The Board also passed a resolution on September 29 requiring that the writing, reading, and mathematics placement exams be taken prior to a student's registering for any courses at any college. Currently a number of students, sometimes a large number at certain colleges) do not take their placement tests until they have completed a number of credits. This resolution prohibits students from registering until they take all three placement tests (after they have been admitted to a CUNY college). The resolution also calls for improving the placement tests, especially the writing test, the CUNY WAT [Writing Assessment Test], most notably through the addition of multiple prompts.

The Board also voted that upon the final adoption of a proficiency test, the CUNY WAT would be replaced by the proficiency test as an exit exam.

The Board also extended its requirement of May 27, 1997, that students must pass the CUNY WAT in order to graduate from a community college so that students at senior colleges that have associate degree programs would also have to pass the CUNY WAT in order to receive an associate degree. Board Vice Chair Badillo explained that when the Board passed the May 27 resolution about the community colleges they had not known that any senior colleges offer associate degree programs and grant associate degrees. Students in associate degree programs will also have to pass all three tests to transfer into a baccalaureate program.

5. Report on the status of John Jay's Phase II in the Board of Trustees! proposed capital project budget request

The Board of Trustees! Fiscal Committee has approved, for approval by the entire Board, a capital projects asking budget.

The design of Phase II is the fourth project of 27 proposed projects listed after four CUNY-wide projects involving overall health and safety issues. The Senate authorized President Kaplowitz to convey to the Trustees and to other involved parties, using methods and information dictated by her best judgment, the high priority that the Trustees and the Central Administration need to place on Phase II.

6. Proposed resolution: Resolved, That the Faculty Senate, while committed to open access, urges the Administration of the College to engage in a student recruitment drive designed to increase the numbers of entering freshmen who are better prepared academically for college-level study in light of the decreasing numbers and percentages of freshmen entering John Jay who pass the freshmen placement tests [Attachment D, E]

To provide a context for this proposed resolution, President Kaplowitz distributed a draft document, which she received that previous day, called "Proposed Faculty Hiring Initiative" which was sent to the college presidents by Vice Chancellor Rothbard on October 6 and which will be the subject of a special meeting of Trustees and Presidents at a meeting of the Council of Presidents subcommittee on Fiscal Affairs on October 23 [Attachment D].

The document outlines a proposal for distributing 200 faculty lines to the senior colleges and 100 faculty lines to the community colleges, with the actual allocations to be decided by early November. Searches would begin for the Fall with hiring of substitute faculty permitted for this Spring semester. The proposal reflects the efforts of Trustees and Vice Chancellor Rothbard and other members of the Central Administration to stretch the \$4.25 million for 85 full-time faculty lines allocated to CUNY by the NYS Legislature in August for use this year so that the 85 lines become 200 lines (for senior colleges). [The State funds the senior colleges and the City funds the community colleges of CUNY.]

The proposal calls for 75 of the 200 lines to be allocated "to advance the University's goal of increasing the percent of instruction taught by full-time faculty to 70% by considering the level of college budgeted faculty positions in relation [to] the requirements of the instructional staff model." This refers to the Board's Master Plan goal of 70% of course sections taught by full-time faculty. It is another way of referring to the Base Level Equity (BLE) initiative without using that terminology and it is very good news that this is included in the allocation model, President Kaplowitz said, because earlier talk and documents implied that this goal, whether called BLE or by another name, was being abandoned. However, she said, this is only one third of the lines to be allocated and even if John Jay receives between 15 and 20 of those 75 lines, as it should according to the formula, that is a small portion of what we need and a small portion of the 200 lines.

The trouble, she explained, is that it is unlikely that we would get many if any lines from the remaining 125 lines to be allocated because of the nature of the other three categories. The second category calls for the allocation of 40 lines to reward performance measures. Senator Norgren asked if this refers to the proficiency test and President Kaplowitz said that when and if a proficiency test is fully implemented that might be one of the

criteria but in the meantime the one to be used in the next month is graduation rates. Because of the nature of John Jay's mission and because of our special programs and admissions criteria and, most importantly perhaps, because of our extreme underfunding in terms of faculty lines, tutors, computers, library resources, we can not fairly compete with other senior colleges whose better funding will be rewarded with additional faculty lines because of their graduation rates.

The third category calls for the allocation of **25** positions to colleges that provide matching funds from non-teaching resources to create a total of **50** lines. But it is unlikely that a college such as John Jay, which does not have sufficient funding to divert monies from non-teaching lines, could participate and, therefore, would not, presumably, get any of these lines.

The fourth category calls for allocating **35** faculty positions at "targeted programs addressing critical University needs." This refers, most probably, to providing faculty to teach general education/core courses at those senior colleges that have teacher education programs, which does not include John Jay. The NYS Regents announced this semester the pass rates on the NYS teacher education certificate exam of students at all colleges in NYS that offer education programs. The two parts of the exam are the LAST (Liberal Arts and Science Test), which is a reading comprehension and critical thinking test: students read passages with sophisticated vocabulary and syntax and answer multiple choice questions. The CUNY schools scored pass rates from the **30's** and **40** percentiles (CCNY and Medgar) to **80+%** (Queens). Most private colleges scored 100% pass rates and SUNY scored in the **90's**. The second part of the exam involves writing about pedagogical matters. The Regents announced that education programs will be terminated at colleges that do not improve their students' pass rates to **55%** in **1998**, **65%** in **1999**, **75%** in **2000**, and **85%** in **2001**.

This, then, is viewed as the most critical University need and, presumably, the **40** lines will go to the colleges that have teacher education programs. This is considered of particular importance to the Regents and to others, including the media, because CUNY graduates are the ones who are most likely to become the K-12 teachers in the NYC public schools, which in turn are the source of CUNY's future undergraduate students.

With reference to the graduation rates, Senator Donaruma noted that graduation rates reflect only those first-time full-time freshmen who graduate, which is unfair to John Jay. President Kaplowitz said that Vice Chancellor Rothbard has explained that various methodologies for measuring graduation rates are being considered and that method may not, in fact, be the method used, even though it is the method used by the NYS Department of Education. Senator Donaruma noted that **50%** of our graduates are transfer students.

President Kaplowitz agreed but said that if one looks at the number of baccalaureate degrees awarded each year compared to the number of FTE students each college has, our graduation rate is still lower than that of many of the senior colleges. She distributed a chart from the 1995 CUNY Student Data Book to illustrate this, explaining that the **1996** Data Book has not yet been printed. In terms of baccalaureate degrees awarded, John Jay conferred **822**, CCNY **1,354**, and Lehman **1,073**. Senator Edward Green said this is partly because so many of our students are part-time students and so would naturally take longer to graduate but it was

pointed out that the comparison between colleges is FTEs (Full-time equivalent) and, therefore, would not be a sufficiently forceful argument, especially since so many students at other colleges also attend part time. President Kaplowitz noted the comparison between the number of baccalaureate degrees granted by City College and by Lehman compared to John Jay even though John Jay and CCNY have a comparable number of students and Lehman has fewer, a case we have been making with regard to funding: that CCNY with now fewer FTE students than John Jay nevertheless has more than double the annual base budget of John Jay. Senator Lou Guinta said we should not compare ourselves to City but rather to Staten Island which is more like us, in that CSI also has associate degree programs.

With reference to the proposed motion, President Kaplowitz distributed the latest pass rate data with reference to the reading, writing, and mathematics placement tests [Attachment E]. Although the 1996 CUNY Data Book has not been published, as she noted above, the charts have been printed and are available individually if requested, which she did. She distributed the data from the 1996 and 1995 Data Books (each book's data is of the previous year). It was noted that the percent of John Jay students who failed all three placements tests increased from 17.3% to 26.2%. On the other hand, the percent who passed all three tests improved slightly, from 21.1% to 23.2%. But the improvement at such other colleges as York seems to reflect outreach and recruitment efforts and needs to be noted.

President Kaplowitz said she has just learned that the College administration invited between 40 and 50 high school counselors to a presentation at John Jay so they can encourage their academically serious students to come to our College. She said that she believes that many members of the College would welcome an advisory position that John Jay reach out to a wider pool of students and make John Jay's programs more widely known to a widely diverse potential student body, at the same time maintaining our commitment to open access and academic success of all our students. Senator James Malone said that although he had been unable to attend the presentation to the high school counselors, he had heard that it was very well attended and that the counselors seemed very impressed and that indeed efforts are taking place to address a wider pool of students.

This motion, it was explained, is an adjunct to the Senate's motion of the previous meeting, about recruiting transfer students through advertisements and other methods. President Kaplowitz reported that the Standards Committee overwhelmingly adopted the same motion the day after the Senate's meeting. The motion was adopted by the Senate.

7. Discussion of a ruling by JJ's Student Activities Association Board of Directors regarding student Dress freedom and the faculty advisor's role: Senator Michael Blitz and President Kaplowitz

Senator Michael Blitz explained that he is this year's faculty advisor of LEX and that the student staff is the most dedicated and serious he has seen in years. He reported that just as the first issue was about to go to press, he was informed that the previous day, on September 30, the Board of Directors of the Student Activities Association voted to require that the faculty advisor of the LEX Review sign off on the content of the newspaper

before it would be funded. He had not been invited to the meeting of this body nor had he been told that this was an issue coming before it nor was he consulted. Upon learning of this official requirement he called Karen Kaplowitz, in not only her capacity as president of the Faculty Senate but also in her capacity as an expert in journalism, especially student press journalism and first amendment law. He also independently researched this issue.

Senator Blitz reported that both President Kaplowitz and his own researches reveal the following: the requirement of the faculty advisor's signature prior to publication is unconstitutional, it is a violation of the first amendment of the United States Constitution, it is, in other words censorship, because it requires prior review by a faculty member who is an employee and, therefore, an officer and agent of a public institution. President Kaplowitz noted that furthermore, were the faculty advisor to sign such a document and a case were to be brought for libel or invasion of privacy, against anything published in the paper, John Jay and CUNY would be liable and the judgment, if the charge were sustained, would be harsh indeed because of what the courts have called the "deep pockets" of such institutions. Senator Blitz also noted the extreme embarrassment and shame that would result to a college such as ours whose mission is the study of law and justice.

Senator Blitz noted the minutes of the Board of Directors meeting report that the vote of 11 yes, 0 no, 0 abstentions, was a vote by 4 administrators, 6 members of the Student Council, and one faculty member. The Minutes state that a motion regarding the LEX Review passed 11-0-0 requiring that "a written statement from the faculty advisor that he or she has seen the final copy of the newspaper prior to going to the printer" be provided to a dean specifically named.

President Kaplowitz said that although she has taught first amendment case law in her journalism courses at John Jay she wanted to doublecheck the latest rulings and so sought legal advice from the Student Press Law Center in Virginia, a national organization. The lawyer she spoke with was stunned by the policy and asked that she promise to inform him of the resolution of the matter. He also faxed her a 27-page document including the citations of relevant cases, all of which prohibit prior review of the student press at public colleges and universities. President Kaplowitz said that instead of putting restrictions and hardships in the way of faculty advisors, the College leadership should ask faculty advisors how they can best assist them in their generous, uncompensated, and voluntary work, and find ways to thank them.

A motion calling on the Board of Directors to rescind its policy requiring the signature of the faculty advisor was unanimously approved. President Kaplowitz was directed to communicate both the Senate's dismay at the Board's action and the request that the policy be rescinded.

8. Discussion of the lack of texts ordered for courses through JJ's Barnes & Noble Bookstore: Senator Effie Papatzikou Cochran

Senator Effie Cochran explained that the books she ordered last spring for her course had only just arrived this morning: she requested the Senate take up this matter when her books had still

not arrived in the 6th week of a 14-week semester. She said that the books for her ESL students cannot be purchased elsewhere and her course meets 9 hours a week and yet the students were without books. She said this is unfair to the students and unfair to faculty who are frustrated by the inability to properly teach their students. She said she only received the books this morning after insisting that Barnes & Noble arrange for express delivery, which they did do, but this should have been done the first week, or before, not the sixth.

Other senators reported other problems with Barnes and Noble Bookstore. Senator P.J. Gibson asked whether we have any alternatives to B&N. Senator Edward Green said that many CUNY campuses are now using Collegiate Booksellers, instead of B&N, which they had used previously and said that it is his understanding that the contract with B&N is about to expire and is to be renegotiated and that perhaps, therefore, it is time to change to a different bookstore. President Kaplowitz said that the Student Council president Jose Frias, in his report to the College Council on behalf of the student government, asserted that the faculty do not order their books in a timely fashion. She noted that if two faculty order the same text, one in May who teaches the course on Tuesdays and Thursdays, and the other in August, because the latter was just hired, and who will be teaching on Mondays and Wednesdays, the students in the Monday section buy all the copies and the students on Tuesday think their teacher (who put in the order in May) did not order the books on time.

Vice President Daniel Pinello reported that he and President Kaplowitz had meet with the new manager of the bookstore, Fernando Cuevas, at the beginning of the semester and that Mr. Cuevas had explained that he had not expected certain personnel changes by B&N management and that, additionally, the new book voucher system had slowed the system, so that each purchase transaction took about twice as long as previously. In addition, the UPS strike had a negative impact on the delivery of books.

Senator Donaruma said there are other problems that are not explained by these conditions. He reported that he has learned that JJ's Barnes & Noble maintains two computer screens for each book order: one screen records the number of copies ordered by the instructor and a second, secret, screen records the number of books actually ordered, which is far fewer in number. He said he would like to know the official reason for this. Senators described other problems, such as the ordering of incorrect editions or of hardcover editions when paperback editions are specified. Senators asked that the manager of the JJ Barnes & Noble Bookstore be invited to the next Senate meeting. All agreed that such an invitation should be extended.

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

Respectfully submitted,

Edward Davenport

Recording Secretary

ATTACHMENT A

Announcements from the Chair

CUNY Trustee John Morning to be Senate guest on November 12

Mr. John Morning, who was recently appointed by Governor Pataki to the CUNY Board of Trustees to represent Manhattan (to replace Robert Price who resigned his seat) has accepted the Senate's invitation to come to our November 12 meeting. Biographical information will be forthcoming. Trustee Morning is a member of the Board's Committee on Academic Affairs and of the Board's Committee on Fiscal Affairs.

New John Jay vice president appointed

At its September 29 meeting, the CUNY Board of Trustees appointed Mr. Robert E. Diaz to the position of Vice President for Legal Affairs at John Jay, with the approval of President Lynch. Mr. Diaz, who has been the CUNY Vice Chancellor for Legal Affairs and the Counsel to the CUNY Board of Trustees, resigned from those positions on September 30, effective October 15. He will take up his duties at John Jay the third week in October.

New director of computer center named

Mr. Marc Eichen has been appointed director of the Computing Center, the position held by Dr. Peter Barnett who has returned to teaching philosophy. Mr. Eichen leaves his position in mid-October as deputy director of Hunter's computing center and will take up his duties at John Jay in the third week of October.

CUNY Deputy Chancellor has announced his resignation

On September 30, CUNY Deputy Chancellor Laurence F. Mucciolo announced his resignation from CUNY. In November he will begin his new position as vice president for finance and administration at Northeastern, where Dr. Richard Freeland, CUNY's previous vice chancellor for academic affairs, became president a year ago.

CUNY Vice Chancellor for Student Affairs resigned

Vice Chancellor for Student Affairs Elsa Nunez, who also served as the University Dean for Academic Affairs, resigned in June to become vice president for academic affairs at Wheeler College in Boston. To date, no one has been appointed in an acting capacity for either of the two positions that Dr. Nunez had held.

Board of Trustees meeting of September 29

The Board did not appoint an interim (acting) Chancellor nor did the Board go into executive session to do so. No reference to this issue was made at the Board meeting.

Deputy Chancellor Mucciolo reported that enrollment is 202,000 which is a 1% decline compared to Fall 1996. Another 1200 students are attending language immersion centers. Enrollment at senior colleges is stable compared to last year and is down 2% at the community colleges. Graduate enrollment is slightly down in terms of headcount but slightly up in terms of FTE's. Transfers are up substantially at both the senior and community colleges. He also reported that the NYS Senate is planning hearings at the end of October on the funding of community colleges.

During Trustees' questions about University and

Board of Trustees meeting of September 29 (cont)

Chancellor Report items, which include any College's expenditure of its tax levy money in excess of \$20,000, it was noted that Brooklyn College was requesting the right to spend \$50,000 this year of its tax levy budget on a student recruitment campaign. The issue came up when a Trustee said that since every college is presumably spending the same amount for this activity, it would perhaps be more cost effective if the CUNY Central Administration were to organize recruitment advertisements for all the colleges. The President of Brooklyn College said it would not be advisable. The expenditure was approved.

The Board approved a resolution authorizing the contracting of two auditing firms to conduct audits of the college associations and the auxiliary enterprise boards at all the colleges. Discussion took place about the fact that officers of these boards (faculty, students, administrators) turn out to not necessarily be covered by insurance nor necessarily are those involved in activities funded through these boards, such as student clubs and athletic teams and their advisors.

A certificate program in entrepreneurial studies at Kingsborough Community College was approved.

The Board voted to extend its May 27 action requiring passing the CWAT (CUNY Writing Assessment Test) to graduate from a community college to graduation from all associate degree programs at the four senior colleges that have associate degree programs (JJ, NYCTech, Medgar Evers, CSI).

The Board approved a resolution about the FSAT --the three placement tests in writing, reading, and mathematics, requiring that all entering student take the 3 placement tests before registering at CUNY. Also, there is to be a CUNY-wide review of the 3 placement tests by Fall 1998. The resolution also calls for the 3 tests to be replaced as exit exams as soon as a proficiency test is developed and adopted.

The Board also approved a resolution authorizing the development of a proficiency test, to be piloted this year and implemented in Fall 1998. The test is to involve a college-level essay to be given to students at least a week in advance of the test and multiple prompts (questions) about which students, with essay in hand, are to answer in 2 hours. Half of the test is to involve writing a full-length essay. For purposes of the pilot, some students will also be required to write about a second, shorter, essay which they will not see prior to the exam.

The early retirement initiative approved by the Board requires a sign-up period for faculty between November 3 and January 31 and for everyone else between November 3 and December 31. Endowed chairs at Hunter (\$500,000) and at Queens (\$517,000) were approved. College presidents were directed to file plans by October 17 as to how they will implement workfare at their colleges and to provide status reports by February 1. Honorary degrees were approved for Richard Clurman (Queens) and Margaret Dixon (Hunter).

Proposed revisions to the guidelines for presidential searches were not acted upon when Trustees complained that they had not received them in a timely fashion and that legal counsel should review the proposed changes. Trustee Babbar chaired the 3-member ad hoc committee (with Trustees Rios and Ruiz). The revised guidelines were tabled until November.

Trustee Marino reported there will be a committee to review security.

Status of the CUNYCard

John Jay is not scheduled to join the Citibank/CUNYCard system until at least the 1998-99 year. In the interim, the Senate's executive committee is following the debate and is in communication with the College's Administration about what actions, if any, to take. When and if this is an issue that merits or requires the Senate's attention, the executive committee will place it on the agenda. The CUNYCard is an ID card that can also be a debit card, a telephone card, etc.

September 30 meeting of the University Faculty Senate

A new trustee, Alfred B. Curtis, was a guest of the University Faculty Senate and spoke briefly of being a graduate of CSI and of his gratitude to CUNY and to its faculty. He was appointed by Mayor Giuliani (and replaces Jerome Berg). He is the director and CEO of the United Nations Development Corporation.

Vice Chancellor for Academic Affairs Louise Mirrer spoke about the development of a proficiency test, saying that having a college-level reading for students to digest and respond to will test how prepared our students are to do upper-division work. She said that she hopes that the placement tests will be revised especially so as to include more prompts in the CUNY WAT (Writing Assessment Test). She spoke about the need to improve the pass rates of our students on the NYS teacher certification tests. VC Mirrer said her vision is to replace faculty lines lost in key core academic areas. She characterized the dearth of faculty lines appalling and spoke of strategies to increase the number of lines that can be allocated. She also hopes to streamline the processes for proposing new programs and for amending existing programs. Six campuses are having Middle States accrediting team visits this year. She invited faculty to provide input and said she plans to work even more with the discipline councils than she has done thus far.

Vice Chancellor for Budget Richard Rothbard said there is a commitment by everyone to increase full-time faculty so as to meet CUNY's Master Plan goal of 70% course sections taught by full-time faculty and 30% taught by adjunct faculty. He said Trustee Marino, who chairs the Board's Fiscal Committee, wants to consult with presidents before allocating this year's faculty lines. In response to a question, Vice Chancellor Rothbard said he would argue against the premise that the Board of Trustees wants to downsize CUNY. He said the faculty may be surprised at the 1998-99 budget request being developed for CUNY especially in terms of the request for funding for full-time faculty. He said he thinks the faculty will be pleasantly surprised.

VC Rothbard reported on enrollment numbers and said some colleges have been very successful in attracting first-time freshmen and in attracting advanced standing transfer students. He said some colleges have been very successful with retention of students which he called very important, explaining that it is more cost effective to retain students already attracted than it is to try to attract new students. He said some colleges have attracted students but have not retained them until now. He reported that senior college enrollment is flat, community college enrollment is down by 2.5% and that Hostos is down by 10.6%. SEEK is up by 39.9%. Graduate headcount is down 1% but FTE enrollment is up 2.8%.

Chair Sandi Cooper reported that the ad hoc search committee for acting chancellor was deadlocked on three

September 30 meeting of the University Faculty Senate

finalists: Ira Bloom, Alice Chandler, and Edmond Volpe. She reported that the proposed presidential search guideline changes provide virtually no role for the CUNY chancellor to participate in a presidential search and if the guidelines were adopted it would be possible for the Board to appoint someone without a search.

Chair Cooper reported about the ruling by Vice Chancellor Diaz that KCC faculty and students may not invite Ruth Messinger to speak on the campus unless her opponent in the mayoral campaign is also invited. His ruling is that IRS 501C3 forbids tax exempt organizations to favor one candidate over another. The invitation to Borough President Messinger was then rescinded and Ms. Messinger stated that she plans to challenge CUNY's action in Federal court. The UFS unanimously approved a resolution asserting academic freedom and freedom of association as critical to colleges and universities and decrying this ruling and encouraging faculty and students to invite political candidates.

Professor Ned Benton's chart [the second table in his letter to Vice Chancellor Mirrer -- see Attachment B of Minutes #158] was distributed and briefly discussed. Professor David Speidel said the chart shows that if any college should privatize it is John Jay, given the small return John Jay receives from 80th Street for each tuition dollar John Jay collects from its students, when compared to the allocations that other senior colleges receive.

ATTACHMENT B

Agenda item #3: Proposed amendments to the Senate Constitution:

1. Non-senators shall be permitted to serve on Faculty Senate committees
2. Members of Faculty Senate standing committees shall be self-nominated and also nominated by members of the Senate from among those within and outside the Senate. The Executive Committee shall recommend the membership slates for election by the full Senate.
3. The Senate's Executive Committee shall be authorized to select the chair of Senate committees.
4. Members of the Executive Committee shall be designated as liaisons to Senate Committees.

The four proposed amendments submitted by the Executive Committee involve deleting the text within the brackets and adding the text that is underlined:

Faculty Senate Constitution Article VII: Committees

The Faculty Senate shall create committees which are necessary to advance the activities of the Senate. Standing or ad hoc committees may be established, as needed. [All members of committees shall be members of the Senate.] Members of standing committees shall annually be self-nominated or nominated by a member of the Senate, and the Executive Committee shall then recommend to the Senate membership slates for election by the full Senate [be elected or re-elected annually through open nominations from the floor at the September meeting of the Senate]. The Executive Committee shall designate Chairs for all committees. Each committee shall elect its own [Chairperson,] Assistant Chairperson and Recording Secretary, as it deems necessary. All committees shall have members of the Executive Committee as liaisons.

A committee may act upon items referred to it by the Senate as a whole, by the Executive Committee or by any member of the faculty. All committees shall report directly to the Senate as a whole, providing reports and offering motions at meetings of the Senate.

Positions on College or University committees designated for Faculty Senate shall be filled as follows: individuals shall be nominated by the Executive Committee and approved by a majority vote of the Senate.

BOARD OF TRUSTEES MEETING
SEPTEMBER 29, 1997

ADDED ITEM

D. THE CITY UNIVERSITY OF NEW YORK - PROPOSED RESOLUTION CONCERNING USE OF THE FRESHMAN SKILLS ASSESSMENT TESTS AT CUNY:

WHEREAS, over the years the Freshman Skills Assessment Tests have been used in The City University of New York for three distinct purposes: placement of students in remediation, exit from remediation, and assessment of readiness to undertake upperdivision study; and

WHEREAS, this use of the same tests for multiple purposes has been questioned; and

WHEREAS, the Board of Trustees wishes to address this problem and to clarify and consolidate previous Board resolutions, administrative guidelines, and practices that have grown up concerning testing at The City University of New York and to eliminate inconsistencies in the application of policy: therefore be it

RESOLVED, That all freshmen and transfer students entering degree or certificate programs at The City University of New York shall be required to take the Freshman Skills Assessment Tests in Reading, Writing, and Mathematics prior to registering for their first semester at CUNY. for purposes of placement; and be it further

RESOLVED, That the only exceptions to this policy shall be entering students with an earned bachelor's degree from an accredited institution and incoming students who have taken the SAT or ACT and have scored at a level to be identified by the Chancellor and the Council of Presidents as adequately demonstrating basic academic skills: and be it further

RESOLVED, That the Chancellor and Council of Presidents, with appropriate faculty consultation, shall review the three Freshman Skills Assessment Tests and make any revisions that may be necessary to improve the placement of students in the appropriate courses; and that such review shall take into consideration the rigor of the tests, scoring and monitoring procedures, and use of test results to target remediation more accurately; and that proposed revisions shall be introduced beginning with freshman and transfer students admitted for the Fall 1998 semester; and be it further

RESOLVED, That the three Freshman Skills Assessment Tests shall cease to be used to determine students' readiness to undertake upperdivision study in a baccalaureate program at a senior college or transfer into such a program as soon as a separate proficiency examination developed by the Chancellor, in consultation with the faculty and Council of Presidents, and approved by the Board, is implemented.

EXPLANATION: This resolution clarifies existing policies and lays the basis for improvements in tests that are currently required. The resolution codifies the requirement that all incoming students are required to take the FSATs for placement, and it provides for the improvement of placement testing at CUNY. Two exceptions to the requirement of placement testing will be allowed, and reasonable accommodations shall be made in the administration of the Freshman Skills Assessment Tests for students covered by the Americans with Disabilities Act, as required by law.

The resolution also provides that the FSATs shall cease to be used for certification of a student's ability to undertake upperdivision work, as provided in the Board's resolutions of April 5, 1976, and June 24, 1985, as soon as a replacement proficiency exam is developed, tested, and approved by the Board. The resolution clarifies that those subject to the current certification policy include all CUNY students and all transfer students wishing to move into upperdivision study at CUNY.

ADDED ITEM

E. THE CITY UNIVERSITY OF NEW YORK - ESTABLISHMENT OF A NEW PROFICIENCY TEST:

WHEREAS the Board of Trustees, University and college administrators, and faculty have expressed dissatisfaction with the current use of the Freshman Skills Assessment Tests for multiple purposes, including placement of incoming students and certification of student readiness to undertake upperdivision study; therefore, be it

RESOLVED, That the Chancellor, in consultation with faculty and campus administrators, shall develop a new proficiency examination to assess student readiness to undertake upperdivision study at CUNY; and that this examination shall be designed to replace the use of the Freshman Skills Assessment Tests for this purpose.

EXPLANATION: The use of the Freshman Skills Assessment Tests for determination of student readiness to undertake upperdivision study has been widely criticized as inappropriate and tending to undermine the efficacy of the FSAT's. Faculty groups, notably the English Discipline Council, have proposed alternative examinations more appropriate to this task. The Chancellor is charged with considering these and other alternatives and, in consultation with the faculty and campus presidents, with developing a substitute for the FSAT's for the purpose of demonstrating college-level proficiency in reading and writing.

Pilot testing of the new examination shall take place during the 1997-98 academic year. While introduction of the exam during the 1998-99 academic year is deemed desirable, the exam format and an implementation schedule is subject to a specific recommendation from the Chancellor and approval by the Board of Trustees.

Faculty Hiring Proposal
(DRAFT- October 6,1997)

In order to meet critical college and University objectives, the City University seeks the appointment of 300 additional full-time faculty -- 200 in the senior colleges and 100 in the community colleges.

Allocation Methodology: A combination of methodologies have been developed. They include the use of criteria that:

- advance the University's goal of increasing the percent of instruction taught by full-time faculty to 70% by considering the level of college budgeted faculty positions in relation the requirements of the instructional staff model (*75positions – all senior*);
- allocate lines based on a measure that considers graduation rates (*110positions - 40 senior, 70 community*);
- allocate positions as part of an incentive program. The University will allocate full-time positions (up to 40 positions) for each faculty position created by a college through the redirection of non-teaching resources (*80positions - 50 senior, 30 community*),
- allocate positions to support targeted programs addressing critical University-wide priorities such as teacher education (*35positions - all senior*).

Financing

The plan will cost \$4.8 million in 1997-98 and \$9.0 million in 1998-89. The University is able to support this level of positions because of the lower cash cost in 1997-98 and the assumption by the University of associated fringe benefit costs. The leveraging of adjunct funds to support a portion of the positions also makes it possible to meet our goal of 300 positions. The University will fund the 1989-90 annualization costs through additions to senior college base budgets and through appropriate adjustments to the 1998-99 instructional allocation model for the community colleges. The University will also be requesting additional City and State aid to help offset a portion of the annualization costs and fund the second phase of the initiative.

Maintenance of Effort

With this initiative, the University will introduce a faculty maintenance of effort requirement. Positions and dollars will be scheduled in college budgets provided that colleges demonstrate that the filled full-time faculty levels reflect new hires above a certain base.

The introduction of this requirement is intended to assure a real increase in the number of full-time faculty, and not merely a hiring effort that maintains the current filled level. The University will be flexible in implementing the maintenance of effort requirement and take appropriate account of the efforts of colleges that have maintained strong faculty levels notwithstanding severe budget pressures.

**Faculty Hiring Proposal
(DRAFT- October 6,1997)**

Senior Colleges	1997-98 Cash Cost	1998-99 Annualization
75 positions allocated considering budgeted positions in relation to 70% goal and supported through the leveraging of adjunct resources	\$1,406,250	\$2,100,000
40 positions allocated considering performance measures. <i>Funded @ 100%</i>	\$750,000	\$1,800,000
25 positions allocated through college matching program using non-teaching resources for a total of 50 positions <i>Funded @ 100%</i>	\$468,750	\$1,125,000
35 positions at targeted programs addressing critical University needs <i>Funded @ 100%</i>	\$1,281,250	\$1,675,000
Total Senior Colleges (200 positions)	\$3,906.250	\$6,700,000

70 positions allocated considering performance measures and supported through the leveraging of adjunct resources	\$656,250	\$1,575,000
15 positions allocated through college matching program using non-teaching resources for a total of 30 positions <i>Funded @ 100%</i>	\$281,250	\$675,000
Total Community Colleges (100 positions)	\$937.500	\$2.250.000

Notes on costs:

Senior

- The 75 positions allocated to address 70% goal are funded fully in 1997-98 as follows: 75 @ \$45,000 * 5/12th = \$1.4 million. In 1998-99, they are funded at rate of \$28,000: 75 @ \$28,000 = \$2.1 million. Conversion of adjunct resources will fund the difference between the \$28,000 and the actual salary in 1998-99.
- All other positions are funded fully 1997-98 @ \$45,000 * 5/12th and 1998-99 at an annual rate of \$45,000, except for a number of positions which are funded fully in FY98 and FY99 at \$50,000

Community

- The 70 positions allocated using performance measure are funded at 50% at an annual rate of \$45,000 as follows: 70 @ \$22,500 * 5/12th = \$656,250 in 1997-98. Funds annualize at \$1.6 million (70 @ \$22,500 = \$1.575 million). Conversion of adjunct resources will fund the difference between the \$22,500 and the actual salary.
- The 15 positions allocated via matching program are funded fully in 1997-98 as follows: 15 @ \$45,000 * 5/12th = \$281,250, and funded fully in 1998-99 at an annual rate of \$45,000 (15 @ \$45,000 = \$675,000)

Table 18A. Outcomes of First-time Freshmen on the CUNY Skills Tests, by College

	Passed None		Passed Math Only		Writing Only		Reading Only		Math & Writing		Math & Reading		Writing & Reading		Passed All		Total	
	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%
Baruch	6.4	14.9	0.6	2.9	1.8	27.1	4.0	42.4	100.1									
Brooklyn City	9.5	13.1	0.6	4.1	1.5	18.9	6.2	46.0	99.9									
Hunter	9.7	15.6	0.6	3.7	2.8	22.7	5.1	39.8	100.0									
John Jay	6.9	11.8	0.4	3.5	1.7	22.4	4.6	48.8	100.1									
Lehman	26.2	6.8	2.3	12.2	0.8	16.8	11.6	23.2	99.9									
Medgar Evers	20.9	9.5	0.7	13.1	2.5	20.0	9.7	23.6	100.0									
NYC Technical	39.1	6.5	1.9	17.1	1.1	12.4	7.8	14.0	99.9									
Queens	35.4	12.0	2.1	12.8	1.6	16.9	7.7	11.4	99.9									
Staten Island	5.0	8.7	0.9	5.6	1.3	20.7	6.7	51.0	99.9									
York	18.4	7.9	1.5	16.5	0.8	24.0	9.5	21.4	100.0									
York	14.0	14.2	1.1	12.4	1.8	25.3	6.5	24.6	99.9									
Total Senior Colleges	18.5	10.9	1.3	9.5	1.5	20.4	7.4	30.6	100.1									
BMCC	31.7	9.5	2.8	14.2	1.1	14.6	10.6	15.5	100.0									
Bronx	49.6	6.3	3.5	17.2	0.4	9.5	7.0	6.6	100.1									
Hostos	57.8	6.2	1.1	14.2	0.3	7.2	8.1	5.0	99.9									
Kingsborough	29.0	13.2	1.1	12.5	1.4	15.5	10.9	16.4	100.0									
LaGuardia	42.4	11.7	2.2	11.5	0.9	10.7	10.6	10.1	100.1									
Queensborough	32.4	10.8	2.8	13.3	1.4	15.6	8.6	14.2	100.1									
Total Community Colleges	36.7	10.3	2.3	13.5	1.0	13.2	10.0	12.9	99.9									
TOTAL UNIVERSITY	27.0	10.6	1.8	11.4	1.3	17.1	8.6	22.3	100.1									