

Faculty Senate Minutes #160

John Jay College of Criminal Justice

October 22, 1997

3:15 PM

Room 630T

Present (26): C. Jama Adams, George Andreopoulos, Michael Blitz, Glenn Corbett, Edward Davenport, Jane Davenport, Kojo Dei, John Donaruma, P.J. Gibson, Amy Green, Edward Green, Lou Guinta, Karen Kaplowitz, Kwando Kinshasa, Sandra Lanzzone, Sondra Leftoff, Barry Luby, Mary Ann McClure, Jill Norgren, Daniel Pinello, Charles Reid, Frederik Rusch, Lydia Segal, Ellen Sexton, Agnes Wieschenberg, Bessie Wright

Absent (11): David Brotherton, Effie Papatzikou Cochran, Arlene Geiger, Gavin Lewis, James Malone, Ellen Marson, Jacqueline Jimenez-Polanco, Robert Rothchild, Adina Schwartz, Carmen Solis, Davidson Umeh

Invited guests: LEX Review Editor Priti Bali, JJ's Barnes & Noble Bookstore Manager Fernando Cuevas

AGENDA

1. Report from the chair and announcements
2. Approval of Minutes #159 of the October 9 meeting
3. Invited guest: "LEX Review" Editor Priti Bali
4. Invited guest: Barnes & Noble Manager Fernando Cuevas
5. Report on a memo distributed to CUNY Trustees by CCNY and Queens College faculty challenging John Jay's right to faculty lines & a report on letters from Karen Kaplowitz and Tom Litwack to 80th Street regarding John Jay's need for lines
6. Criticisms of the faculty at the September & October meetings of the College Council by the Student Council President
7. Announcement of Senate committees and charges to committees

1. Report from the chair and announcements [Attachment A]

Senator Sandra Lanzzone was congratulated for her work in organizing and co-chairing the first annual Italian-American Breakfast, which many faculty attended. The honorees were Vice President Mary DiPiano Rothlein of John Jay, CUNY Trustee John J. Calandra, and NYS Senator Catherine Abate. Peter Vallone, the Speaker of the NYC City Council personally presented a proclamation from the City Council. Senator Lanzzone said she believes the event proved to be such a success because many people at John Jay supported it and she said she would like to thank all those who did.

Student Council President Jose Frias, who was invited to today's Senate meeting to discuss with the Senate his criticisms of the faculty, which he made at the September and October College Council meetings [see Announcements, Attachment A -- pp. 2, 3], was unable to accept that invitation because of the short notice.

2. Approval of Minutes #159 of the October 9 meeting

By a motion made and carried, Minutes #159 of the October 9, 1997, minutes were adopted.

3. Invited guest: "LEX Review" Editor Priti Bali

Ms. Priti Bali, Editor of "The LEX Review" was welcomed. Senator Blitz, as the faculty advisor of the student newspaper, introduced Priti Bali, Editor in Chief of the newspaper, and explained that Dominick LaBruzzi, who was also invited but is unavailable, is the president of the student club.

Ms. Bali explained that "The LEX Review" is the official John Jay College student newspaper. She said that in previous years the students at "The LEX Review" had had serious problems which the current staff and officers inherited. The new "LEX" staff comprises approximately 20 students: 15 students who are news reporters, an editorial board of five students, an executive board of 4 students.

She thanked Professor Kaplowitz for extending the invitation and thanked Professor Michael Blitz for always being available to advise her and the "LEX" staff. She invited suggestions, critiques, and corrections and invited visits to the "LEX" offices. Ms. Bali said she and Mr. LaBruzzi and her staff wish to meet with individual faculty in order to obtain information. President Kaplowitz said that as someone who was once the faculty advisor of "LEX" she knows the extraordinary challenges involved in producing "LEX" and praised Senator Blitz for serving as the faculty advisor and Ms. Bali for taking on the responsibility of editor and she explained that the Executive Committee wanted the Senate to meet Ms. Bali, so that when she comes up to a member of the faculty with her tape recorder in hand, faculty would know who she is.

In response to a question about coverage of student clubs, Ms. Bali said a club page will comprise notices about club events and club officers. In addition a cultural section will have articles about events and she cited the first issue which reported on Italian-American Heritage Month. Senator Kinshasa said that in the past "LEX" had not generated revenue and asked if this would change. Ms. Bali said three major advertising companies send ads each year and that the goal of "LEX" is to earn at least \$15,000 in advertising revenue by the end of this academic year. Senator Blitz added that the fiscal process governing the funds earned by "The LEX Review" is very complicated. The long-term goal, he said, is to use the funds from advertising revenue to improve and update the newspaper's equipment.

Senator Lou Guinta asked about the editorial policy of "LEX," saying that one problem in the past was that the editorial policy seemed to degenerate into "shouting matches" between the editor and other members of the John Jay community. Ms. Bali agreed that in the

past "LEX" was used to get back at other students. She said one page will be devoted to editorials and the staff would check the accuracy of the statements made in the editorial submissions. There will be no more anonymous editorials: a person who want to express an opinion will have to be willing to be identified by name, she said. She added that the staff will also get in touch with Dean Saulnier and Dean Smit and others who are willing to help the "LEX" staff determine that the information is accurate.

Senator C. Jama Adams said that while he understands the wish to ensure that information is accurate, he is concerned about the participation of the College administration in that process. Senator Adams explained that his question derives from his own experience when he was an undergraduate at John Jay and worked on "The LEX Review." Ms. Bali said that aside from answering the questions that the staff of "LEX" present to Dean Saulnier, his only other role will be to approve the budget of "LEX." At other times, she said, "LEX" will seek the advice of Professor Blitz.

Senator Blitz noted there is not a lot that the faculty advisor of "LEX" can do without really interfering, except to be available to give advice. He said one of the useful discoveries that he has made, partly through Karen Kaplowitz's help, is the Student Press Law Center, in Arlington Virginia, which has a wealth of archival material on just how sacrosanct the student press is. He said this knowledge was never as systematically obtained as is now the case.

#### 4. Invited guest: Barnes & Noble Bookstore Manager Fernando Cuevas

The new manager of John Jay's Barnes & Noble Bookstore, Mr. Fernando Cuevas, was introduced and was congratulated on his appointment. He had been invited at the request of the Senate at its last meeting so that he could have the opportunity to explain the situation at the bookstore from his perspective as someone who took over its management in September (although his official appointment was in May). Many faculty did not have books for their students when classes began in September. President Kaplowitz explained that the Senate hopes Mr. Cuevas will provide insight into the events in September that caused problems that both students and faculty experienced and that he will report on what is being done to address those situations as well as what he anticipates will happen in February and how the Faculty Senate might help.

She said one of the criticisms of the faculty that Mr. Jose Frias, President of the Student Council, made in his report at both the September and October meetings of the College Council is that faculty do not submit book orders in a timely fashion [see Attachment A - pp. 2, 3]. She said that the Senate will have the chance to discuss Mr. Frias' criticisms of the faculty after we conclude our meeting with Mr. Cuevas. She noted that the Senate's executive committee invited Mr. Frias to today's meeting, but he was unavailable because of the short notice. And so, she said, the Senate, through this meeting with Mr. Cuevas, hopes to be able to address the concerns of the faculty as well as Mr. Frias' concerns in as accurate a manner as possible.

Mr. Cuevas explained that he was assigned to John Jay's store in May and that Michelle Rothman, who had been the John Jay's store manager for three years, upon being appointed regional manager, was given the John Jay store as part of her region and was to work very closely with him because the entire management team and the entire

staff of John Jay's bookstore changed for various reasons. One of the first actions was to appoint a textbook manager because the store's goal is to have as close to perfect a textbook department as possible. But the person hired turned out to be new to that position. In the middle of the summer, Ms. Rothman left Barnes & Noble and so, unfortunately, she was not available to work with him and was unavailable to answer questions from faculty. Furthermore, decisions had been made by the previous manager before he arrived that he was unable to change. And so there were many problems because everyone was new to the store and because the textbook manager had, as it turned out, never worked with textbooks. A new textbook manager who is experienced with textbooks has since been hired to replace that person.

In addition, there was a month-long UPS strike that caused tremendous problems the first day of the "rush": 500 cartons of books had not been received. The third situation was the new book voucher system which caught the bookstore off-guard: the voucher system is good, he said, but created problems at the same time.

A fourth problem was that in the past, if a faculty member ordered 50 copies of a book, the B&N staff would actually order only 35 or 40 copies from the publisher, with the plan of buying 10 or 15 copies back from students selling used books during the first three days of classes. In previous years, students would get their book advance during the second week of classes and that would give the bookstore the opportunity to buy back from students the number books that they had withheld from the order. This year, with the voucher, students had their money the first day of classes and the students all came to the bookstore and so there was an inventory problem. Also, the ordering had been based on the number of books that any given professor's students had purchased in the previous semester.

Mr. Cuevas said that henceforth the bookstore will order the number of books each faculty requests on the book order: if a faculty member asks for 100 copies then 100 copies will be ordered from the publisher. [The Senate applauded its approval.]

Mr. Cuevas said that the reference that Professor Kaplowitz made to Jose Frias's comments is related to a problem with the timeframe in which B&N receives textbook orders. He said he spoke to Provost Wilson, who said the teaching assignments for the spring semester will be announced to faculty by November 15 and so the deadline for ordering textbooks is November 21 so that faculty can have time to choose their textbooks. Some problems that this deadline is meant to deal with is the fact that textbooks are sometimes out of stock, sometimes out of print, and sometimes there are new editions: the bookstore wants to provide this information to faculty as soon as possible and that requires a November 21 deadline so alternate textbooks can be ordered in time, if necessary. Also, there is a timeframe needed to buy back books from students.

Mr. Cuevas said another plan for the spring semester is to address another problem that occurred this semester: if a full-time faculty member orders books on time and those books arrive and are in the store, and then during registration ten new sections have to be opened up and ten adjuncts are hired by a department a week before classes, and one of those new professors decides to order the same text that the full-time professor had ordered months earlier, the bookstore has no control over whose students are purchasing those books. So for the spring semester, faculty who order their books on time, that is, two weeks or maybe three weeks -- this is still being debated -- before the semester begins, will be invited

to come to the bookstore so the staff can show each professor that his or her books are on the shelves and exactly where on the shelves the books are and also to confirm that the books that are on the shelves match the books that were ordered, in terms of title, edition, and package. And then, if students tell their professor that the book is not on the shelf, the bookstore will determine who ordered the books late and created this situation.

A book order form will shortly be going to each professor with a pre-printed form of that professor's book order for last spring. If the same books are to be ordered, all the professor has to do is sign that pre-printed form and return it to the bookstore. The bookstore wants to work with each professor, knowing that there were problems this semester. Because of the voucher program, it is critical that the bookstore have orders far in advance so that the books will be in the store the first day of classes. Unfortunately, students may use the voucher for only two or three weeks and so the books must be in the store the first day of class. Mr. Cuevas said if a student finds a required book at a less expensive price at the 18th Street B&N, JJ's B&N will honor that lower price. Mr. Cuevas said it is critical that the bookstore receive book orders on time.

Senator Charles Reid asked the extent of the problem of late book orders: he said that because we have been hearing this complaint about the faculty it is necessary that we understand the problem in terms of numbers. Mr. Cuevas said about 20% of faculty are ordering late, and he explained that by the term "**late**" he means that the orders arrive after the deadline: the turnaround time is such that the first round of placing book orders will occur on December 17 and the book orders are due by November 17 so that the status of the books being ordered can be checked and the order can be changed, if necessary. Senator Reid said that if 80% of the faculty are ordering by the deadline, it seems that the faculty are doing pretty well. Mr. Cuevas said that he thinks so, too, and said the faculty at John Jay are, in fact, doing a great job. Senator Reid said this needs to be communicated because the comments about the faculty made it seem that faculty are remiss and that the problem is much larger than it is. Mr. Cuevas said that an 80% rate of submitting book orders on time is very, very good. But looking at the overall picture, he said, the bookstore handles 1100 titles and the missing 20% is what is causing the problem.

Senator Mary Ann McClure asked how many of the late orders are from adjuncts who may have been hired at the last moment. She said that every semester her department, Art, Music and Philosophy, has to find completely new adjuncts after registration. Mr. Cuevas said it may have been mostly adjuncts who were hired late who handed in late orders and also it may be that they may go into the store, see what is on the shelves, and then order whatever texts are there that they like. Senator McClure said she would do that to, in that situation, because she would not know what else to order.

President Kaplowitz asked how much it would cost to order books for second-day delivery if the books are ordered by someone hired at the last minute. He said it becomes expensive because second-day delivery is charged by the pound. He added that this semester for the first time, all CUNY colleges began classes on the same day. President Kaplowitz said this will be true from now on because CUNY has decided to have a universal calendar which all colleges must follow. Mr. Cuevas said that one of the problems this creates, and this happened with a chemistry class, is that because all CUNY colleges started classes on the same day, publishers were bombarded with orders and so even second-day delivery doesn't necessarily mean

the books will arrive in two days.

Senator Kwando Kinshasa said it seems the way this problem has been presented to us is out of synch with reality because we have only 20% of orders turned in late and that 20% might be accounted for by adjuncts: thus this may not be a major failing of the faculty although it is a problem that needs to be addressed. Upon Senator Kinshasa asking if Mr. Cuevas considers the faculty guilty, the B&N manager said not at all. Mr. Cuevas noted that before coming to John Jay, he worked at the Columbia University bookstore and the feedback from faculty at John Jay is excellent and the faculty at John Jay are very responsive, more so than the Columbia faculty.

Mr. Cuevas said many of the problems encountered this September had a lot to do with the B&N Bookstore and were internal in nature, as well as the UPS strike and the new voucher system. Mr. Cuevas said that, not wishing to be immodest, he does want to say that he is very good with textbooks but he had to take time away from that area to deal with the vouchers, with the new computerized registers which were required and which he had to train the staff to use, with a committee that met every week about the voucher system which he had to attend, and so forth. Senator Kwando asked whether, in terms of the 80% compliance, which might improve, there is any way that Mr. Cuevas can condemn the faculty in the way they have responded. Mr. Cuevas said no, there is no way the faculty can be condemned.

Senator Donaruma said that on the one hand, the problems encountered this September had never occurred in his memory, and at the same time he praised Mr. Cuevas for being extremely helpful in getting book problems resolved, including the problem of unpacked cartons in the back of the store and a lack of people to get the books onto the shelves because everyone was needed inside the store.

President Kaplowitz asked Mr. Cuevas whether having more shelf space for books would ease the problems and, if so, the Senate could make that recommendation to the administration. She said her books were in cartons in the back and only a portion of the books were put on the shelf because of lack of shelf space. Mr. Cuevas said this is already being negotiated: B&N is ready to build a new bookstore but is waiting for the College to provide the space. He added that one problem was that the lines of students were so long that his staff didn't have room to restock shelves and that shelves had been added to the ceiling which helped somewhat but not much. He said given the number of students here, we need a much larger bookstore.

Senator Edward Green said the terminology we use is very important. When we say that 20% of the orders are late, that may be inaccurate. It may be that only 5% of the faculty are late and 95% may be on time because a person can only send in a book order if that person is on staff and many part-timers are not on staff until the last minute and even full-time faculty may not have been hired by the book order deadline. He added that if someone is hired at the last minute and gives in a book order 48 hours later, that person should be praised for doing a wonderful job by going to the bookstore and reviewing the possible texts and placing a book order as soon as possible, especially because the person may not even know what the course entails, may not have seen a sample syllabus for the course or courses to be taught. He said a statistical analysis requires comparing who is actually on staff at the time the orders are due and who, if any, did not submit book orders on time. He pointed out that anyone looking at the course schedule can see that many courses are to be taught by 'TBA' -- To Be Announced.

Senator Green said the chair of his department, Mathematics, frantically searches for adjuncts at the last minute and because of the union contract adjuncts currently teaching three courses at one college may not be hired to teach additional courses at that college. And, in addition, 80th Street will no longer sign waivers so that full-time faculty may teach an overload (extra courses paid at the adjunct rate) which enabled courses to be covered when adjuncts could not be found in a timely way.

Senator P.J. Gibson asked whether the plan to order 100 percent of the texts will lead to a problem of warehousing the books by B&N. Mr. Cuevas said the books are sent by the publisher directly to John Jay and so that is not a problem but because there will be overstocking, more space at John Jay will be needed. She also asked about the manager's promise to match the price of books sold at the B&N at 18th Street: if a student does find a required book at a lower price at 18th Street, she asked will all the copies of that book be lowered in price or just that one student's book. And furthermore, she asked, do all the students have to go to 18 Street or could he, as manager, call the 18th Street store to determine whether the price is lower. Mr. Cuevas explained that when books arrive, the carton contains a packing slip from the publisher, with the price and so all the books are priced accordingly. He explained that there is very little communication with the 18th Street store because John Jay's store is part of the B&N College Division, but the 18th Street store is not. He noted that students and faculty ask him to get books they see at the 66th Street B&N but the College Division is considered a separate company from the retail stores. He said that if a student sees that the book is sold at a lower price he will change the price of all copies of that title.

Senator Leftoff asked about paperbacks being sold at John Jay for twice the price that Coliseum bookstore charges because the edition at John Jay is the tradebook edition. She said John Jay's store has a monopoly and should not be allowed to exploit students. Mr. Cuevas said that if a specific edition is requested, that is the edition that is ordered. If no specific edition is ordered, then sometimes the result is that the least expensive edition is not what is ordered. He recommended that faculty provide as much information as possible, including the publisher, the edition, and, if possible, the ISBN number. He noted that faculty are welcome to use Books in Print which is in his store and which provides all this information. Senator Leftoff also asked about the two-day delivery issue. He said that B&N would be willing to pay for second-day air delivery for orders placed by newly hired faculty if all the orders of everyone else are placed on time.

Senator Frederik Rusch said that Mr. Cuevas had been extremely helpful and extremely pleasant during a very trying situation. He said he too had wanted to know why more expensive editions are ordered when less expensive ones are either requested or identified specifically. Mr. Cuevas said that sometimes the less expensive versions are out of print or out of stock. Senator Lanzone said that this semester some of her students were not able to use their vouchers by the time the books were actually available on the shelf. Mr. Cuevas said he had permitted students to purchase a gift certificate with their vouchers if the book was not yet on the shelf and that the gift certificates are usable any time. She also asked whether the bookstore buys back tradebooks: the answer is yes.

Senator Bessie Wright pointed out that the book vouchers exist because of an 80th Street directive, rather than a John Jay

initiative. President Kaplowitz concurred, explaining that she had been told that because John Jay has a high turnover of students, 80th Street decided to no longer permit financial aid book advance checks to be issued because many of those checks had been issued to people who did not return to school. Senator P.J. Gibson suggested that the administration help communicate to students the various options when vouchers and books do not coordinate. Senator Kinshasa said although most faculty do place their book orders on time, he is aware of specific faculty who have a record of late book orders and he asked whether Mr. Cuevas could inform the department Chairs as to the identity of those people so that the students do get their books on time and so that the entire faculty will not be accused.

President Kaplowitz suggested early scheduling of course assignments will make it easier for faculty to get their book orders in on time: one week between learning one's teaching schedule and the deadline for book orders is not necessarily sufficient for faculty who do not want to teach the same material over and over or who are teaching a course for the first time. She added that Michelle Rothman had learned not to return unsold books before the end of the semester without checking with the faculty member first: some students don't buy the book until it comes up on the syllabus during the semester. Mr. Cuevas distributed a memorandum he is sending all faculty requesting this information and said he will not return to the publishers unsold books that faculty ask him to hold.

Senator C. Jama Adams reported that 15% to 20% of his students do not buy the text for his ethnic studies course, seeming to think that if the professor does not make specific references to the text students don't have to buy it. He said they may be making an economic decision since the book is \$60 but, he added, students who don't buy the book invariably are unable to pass the course. On the other hand, President Kaplowitz said, in literature courses students must bring their books so they can support their points by referring to the literary text. She said when there are insufficient copies of a text students buy whatever edition they can find and, as a result, students have five or six different editions which makes discussion based on textual references extraordinarily difficult.

Senator Blitz suggested that perhaps Mr. Cuevas could ask to be invited to a Council of Chairs meeting to ask Chairs to monitor their own faculty. Mr. Cuevas said he is putting an ad in "The LEX Review," is planning a phonemail campaign, and is meeting with Chairs to remind them of the book order deadline. He added that faculty feedback is very helpful and he looks forward to continuing to work with the Senate. The Senate thanked Mr. Cuevas for coming.

5. Report on a memo distributed to CUNY Trustees by Queens College and CCNY faculty members challenging John Jay's right to faculty lines & a report on letters from Karen Kaplowitz and Tom Litwack in response regarding John Jay's need for lines [Attachment B, C, D]

President Kaplowitz reviewed that at our last meeting, on October 9, the Senate authorized Professor Tom Litwack, Chair of the Senate's Budget Committee, and her to write to the Board of Trustees and to the CUNY Central Administration about the need for full-time lines and other resources at John Jay. Subsequently, a memorandum [Attachment B], commenting on 80th Street's "(Draft) Faculty Hiring Initiative" [see Attachment D of Senate Minutes #159], was written in which John Jay's right to faculty lines is challenged, and this memo was distributed to Trustees at a special meeting of the Board



of Trustees Fiscal Affairs Committee on October 15, which she attended. That memo is from Queens College Professor David Speidel, who identifies himself on the memo as the Chair of the University Faculty Senate Budget Advisory Committee (BAC), which he is. The memo is addressed to City College Professor Bernard Sohmer, in his capacity as the faculty representative on the Board's Fiscal Affairs Committee. Professor Sohmer is also a member of the UFS Budget Advisory Committee. At the October 15 special meeting of the Board Committee on Fiscal Affairs, Professor Sohmer distributed Professor Speidel's memo [Attachment B] to the Trustees. This memorandum does not reflect any discussion or position taken at any meeting of the UFS Budget Advisory Committee, all meetings of which both she and Professor Ned Benton have attended. (Professor Speidel subsequently explained that the memo was meant to be understood as representing his personal opinion only.)

President Kaplowitz explained that she and Professor Litwack wrote two letters as correctives to Professor Speidel's memorandum (thus Professor Speidel's memo is included as Attachment B so the two letters written on behalf of John Jay's Faculty Senate can be understood). One letter she and Professor Litwack wrote is to Vice Chancellor for Budget Richard Rothbard [Attachment C]. The second letter, addressed to the Trustees, was sent to each member of the Board of Trustees [Attachment D]. The Senate commended the letters.

6. Criticisms of the faculty made by the Student Council President at the September & October meetings of the College Council

Mr. Frias was invited to today's Senate meeting to discuss his criticisms about faculty at the College Council about the faculty [see Attachment A - pp. 2 & 3] but said he could not attend given the short notice. Senator Kwando Kinshasa said we can use this as an opportunity to teach students proper grievance procedures. Senator Michael Blitz said Mr. Frias is learning how to govern as he goes and must learn the dynamics of disagreement. Senator Agnes Wieschenberg said we might remind Mr. Frias that just as students do not like to be lumped together the faculty do not like this either. It was noted that just as data is being requested for proposals on academic standards, data should be requested when global negative generalizations about the faculty are made. President Kaplowitz was asked to address these issues, including the information B&N manager Fernando Cuevas provided, when she gives her report as president of the Senate at the next College Council meeting. She agreed to do so.

7. Announcement of Senate committees and chairs to committees

Senators were invited to self-nominate and to nominate others, including non-Senators. The Executive Committee will form slates and select committee chairs, for approval by the Senate.

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

Respectfully submitted

Edward Davenport  
Amy Green

Recording Secretaries

## ATTACHMENT A

### Announcements from the chair

#### New Director of Human Resources (Personnel) named

With the imminent retirement of Ms. Margaret Schulze, President Lynch has announced the appointment of Mr. Donald Gray (currently Dean of Admissions and Registration) to be Director of Human Resources.

#### New Acting Dean of Registration and Admissions named

President Lynch has named Dr. Richard Saulnier, currently associate dean of students, to Acting Dean of Admissions and Registration (the position which Donald Gray has held). President Lynch also announced that the Office of Admissions and Registration will henceforth report to the Vice President for Student Development instead of to the President, as had been the case. Mr. Robert Dempsey has been promoted from Assistant Registrar to (Acting) Associate Registrar.

#### Assistant to Director of Freshman Services named

Mr. William Devine, who has worked in the Office of Admissions and Registration and whose responsibilities included student recruitment and review and evaluation of transfer credits, has been appointed Assistant to Director of Freshman Services Patricia Sinatra. His former responsibilities have been given to Mr. Dennis Hood, who had been assigned to John Jay's branch campus at Gurabo, Puerto Rico.

#### Duties of VP for Legal Affairs further clarified

At the October 16 College Council meeting, President Lynch announced that the Board of Trustees had transferred Vice Chancellor Robert Diaz, with his line and salary, to John Jay to be Vice President for Legal Affairs and Counsel. President Lynch said that VP Diaz will be the labor designee (a position until now held by the former director of human resources, Margaret Schulze), and he will be responsible for reviewing and approving contracts (for training, etc), for helping John Jay move Phase II forward, for helping with issues of equitable funding for the college, and other duties to be announced.

#### Gurabo Branch Campus to close in December 1997

President Lynch has announced that at the request of the people of Puerto Rico, who voted in a referendum to have their own college of criminal justice, John Jay's branch campus in Gurabo, Puerto Rico, will cease to operate on December 4 when the current class graduates. (A very small class, the last, will subsequently graduate in March.)

#### New acting director of writing center named

Professor Livia Katz (English) has been appointed the acting director of the Writing Center and is teaching the elective writing course on peer tutoring. Carol Stanger, the previous director, has been appointed special assistant to Associate Provost Kobilinsky.

#### Commencement date set

Commencement will be on Thursday, June 4, at 10:30 AM at the Theater at Madison Square Garden.

College Council meeting of September 17

President Lynch spoke about JJ's high student satisfaction rating (the highest among the senior colleges) according to the CUNY Student Satisfaction Survey. He reported about the inequitable funding of John Jay, noting that while John Jay receives approximately \$4000 per FTE student, the CUNY average is approximately \$6,000 per FTE student, and CCNY receives approximately \$8,000 per FTE student.

Professor Kaplowitz reported on the Board of Trustees' imminent development for pilot testing and probable implementation in Fall 1998 of a proficiency exam for movement beyond 60 credits; on Better Teaching Seminars, sponsored by the Senate, especially the November 11 BTS on being a successful applicant to law school; and on the Senate's work in apprising CUNY Trustees and members of the Central Administration of CUNY about John Jay's funding needs and the inequitable funding of John Jay compared to the other senior colleges.

Student Council President Jose Frias criticized the faculty for not submitting book orders in a timely fashion, for not submitting grades in a timely fashion, and for not hiring faculty who are representative of the students. He called for student members on each department P&B Committee so students can review all applications for faculty positions and have a voice in who is interviewed and hired.

A proposal unanimously approved by the Curriculum Committee in May at the request of the Sociology Department to require English 101 as a co-requisite (or prerequisite) of Sociology 101 was met with strong opposition by a number of non-faculty members of the College Council. A motion to table the proposal until the next College Council meeting so that the Sociology Department chair can attend to speak on behalf of his department's proposal passed by unanimous vote.

A proposal unanimously approved in May by the Undergraduate Standards Committee was next presented: the proposal called for English 101 to be, at a minimum, a prerequisite for all 200-level courses and for English 102 to be, at a minimum, a prerequisite for all 300-level courses. It was explained that English 101 is the first semester college-level writing course and English 102 is the course in which students learn to respond in written form to a text, to quote, summarize, paraphrase, to do library research, and to write a research paper. Some non-faculty College Council members opposed the proposal arguing that there are not sufficient courses for students to take if this proposal were to pass and that financial aid considerations must be taken into account and that the proposal is unfair to students. Many faculty spoke in support of the motion, positing the argument that to permit students who do not have the necessary college-level skills for college-level courses such as Psychology and Government is to be truly unfair to those students; faculty also posited the argument that to permit students without sufficient skills to take 200-level and 300-level and 400-level courses creates an unfair situation for students enrolled in those courses who do have the necessary skills. The faculty also noted that the policy, if approved, could help improve the chances of students passing the proposed CUNY proficiency exam by the time they have earned 60 credits and would send a message to the new Board of Trustees that John Jay is grappling in a positive way with issues of academic standards. The **proposal** passed by a vote of **22 - 7 - 2**. (Some members did not vote.)

A proposal from the Graduate Studies Committee to limit the number of attempts Master's student may have to pass the Comprehensive Exam to two (with the possibility of an appeal for a third try) for was approved.

**College Council meeting of October 16**

President Lynch announced personnel changes (see above) and that the NYS Legislature approved the expenditure of monies to purchase the rest of the block on which T Building stands. Efforts are also underway to negotiate a lease for 50,000 square feet in the BMW (formerly Ford) Building on 58 Street between 10th and 11th Avenues: administrative offices in NH and in T Building would move into the leased space. He reported on the closing of the Gurabo branch campus.

After a report on the work of the Faculty Senate by Professor Kaplowitz, the Student Council President, Jose Frias, gave his report on behalf of the student government. He asserted that faculty do not order books for their courses on a timely basis; that faculty do not turn in grades in a timely way, sometimes waiting a semester or a year, causing great disruption to students, especially those scheduled to graduate [N.B. Mr. Frias is presumably speaking of resolution of incompletes, change of grades, etc., although this was not stated]: he spoke of the need for students to be members of departmental P&B committees; he said too many faculty upon receiving tenure feel they are immune and that, in fact, he has been told that that is the case, and he said that students feel that once faculty receive tenure they no longer care about students. Mr. Frias also asserted that the College Council has henceforth focused only on issues important to faculty and that it is time the Council acted on behalf of students.

A proposal approved by the Curriculum Committee, which was submitted by the Sociology Department, to require English 101 as a co-requisite (at a minimum) for Sociology 101 was presented by the Sociology Department representative who said his department had not anticipated the vociferous opposition to the proposal that occurred at the September 17 meeting of the College Council and explained that his department's proposal was designed to raise academic standards. He said that his department has concluded that the proposal that English 101 be a co-requisite should probably be proposed by all academic departments. Another faculty member of the Council said that the requirement probably does apply to all departments and suggested that, in particular, all social science 101 courses should be treated equally. A question was raised as to why English 101 is being singled out as a co-requisite and that Communication Skills courses, which focus on reading, are not. Various non-faculty Council members asked for data to support the co-requisite. A motion to refer the proposal to the College Curriculum Committee passed unanimously: the motion calls for the Curriculum Committee to consider the proposal that English 101 be (at a minimum) a co-requisite for all the social science 101 courses and that the Curriculum Committee look at the possibility of Communication Skills courses playing a similar role. The Curriculum Committee is to report back to the College Council. A

motion from the Standards Committee requiring students to take remedial and developmental courses in consecutive semesters and as soon as is feasible passed with one abstention.

A proposal from the Graduate Studies Committee to create an award for outstanding service to a graduating Master's student and another proposal to eliminate the requirement of a thesis for the Claude E. Hawley Award for academic excellence both passed unanimously.

**Center for the Study of Domestic Violence**

Provost Wilson and Vice President Mary Rothlein told the Women's Studies Committee that a center for the study of domestic violence is being established at JJ and that Dr. Eleanor Pam will direct it. Provost Wilson announced that he would issue a request for proposals (RFP) for grants for reassigned time so faculty may develop project proposals related to issues of domestic violence.

**Enrollment information update**

John Jay enrollment increased by 1.6% over last fall. Hunter's increased by 3.6% and Brooklyn's increased by 2.9 %.

**Italian-American Breakfast held October 17**

Organized and co-chaired by Professors Sandy Lanzone and Linda Trombetta, John Jay's first annual Italian-American Breakfast, sponsored by JJ's Italian-American Coalition, was held October 17. The honorees were JJ's VP Mary DiPiano Rothlein, NYS Senator Catherine Abate, and CUNY Trustee John J. Calandra. City Council Speaker Peter F. Vallone presented a proclamation from the City Council marking the event. An exhibit of paintings, "The Age of Discovery," by Constance DelVecchio Maltese is on display in the North Hall lobby throughout October in honor of Italian-American Month. A reception for the exhibit was held the evening preceding the breakfast: the artist and her husband, NYS Senator Seraph Maltese (the model for one of the paintings) attended.

**Chancre in CUNY Policy on inviting Political officials to campus**

After the Office of Legal Affairs of CUNY issued a directive forbidding a student and faculty group at Kingsborough Community College from inviting Ruth Messinger unless Rudolph Giuliani were also invited by the group, CUNY faculty and the media criticized the ruling as being a violation of academic freedom, free speech, and other critical foundations of colleges and universities. The University Faculty Senate unanimously voted its disapproval of the edict. Ms. Messinger held a press conference saying she would sue in Federal Court. The CUNY Office of Legal Affairs then issued a new directive, replacing the previous one: a college group or individual may invite a candidate for elective office to speak at the college, including about his or her candidacy, as long as the college itself or another entity of that college extends an invitation to the candidate's opponent(s) even if the invitation is for a different time, a different date, and a different forum or purpose. Ms. Messinger did speak at KCC to the group that invited her, and a different student club at KCC extended an invitation to Mr. Giuliani to speak to their group. It is not known whether Mr. Giuliani accepted the invitation.

ATTACHMENT 5

Date: October 13, 1997  
To: Bernard Sohmer, Member, Committee on Fiscal Affairs  
From: David Speidel, Chair UFS Budget Advisory Committee  
Re: Comments on Faculty Hiring Proposal (Draft, October 6, 1997)

1. While I have no serious problem with Financing, I do have concerns concerning the Allocation Methodology. Allocation methodology part 1 distributes 75 lines to senior colleges based on consideration of the college budgeted positions in relation to the "requirements" of the instructional staff model. In other words, it is a continuation of the Base Level Equity (BLE) policy.

In the three years of BLE, the following distribution of 72 additional permanent lines were made (Column 2). In the one year of the Faculty Hiring Proposal, using the methodology described and distributing the line in proportion to the "requirements", the 75 lines would be distributed as indicated in Column 3.

TABLE 1

1 College	2 Previous Base Level Equity Distribution	3 Proposed 1997 Distribution	4 Total Distributed
Baruch	2	7	9
Brooklyn City	--	--	--
Hunter	5	11	16
John Jay	21	19	40
Lehman	--	3	3
Evers	10	6	16
NYCTech	4	9	13
Queens	--	--	--
CSI	16	13	29
York	14	6	20

Does the Board really want to distribute the 75 lines in this way? 40 to John Jay and nothing to Brooklyn, City, or Queens? Does the Board really want to do this before looking at the relative staffing patterns between teaching faculty and administration that exists at the various colleges to discover where the colleges are presently putting their resources?

- II. Some time back (6/9/97), I prepared a document that showed staffing changes in CUNY between 1994 and 1997. This has direct bearing on Allocation Methodology part 3 which discusses the redirection of non-teaching resources. The Board must be aware that the individual colleges have responded quite

ATTACHMENT B (cont)

Speidel to Sohmer, 10/13/97  
Faculty Hiring Proposal

differently to staffing changes over the last 3 years, 1994-1997. Some colleges such as Evers, Queens, and York have increased the proportion of teaching faculty in the full-time staff while others, such as Jay have decreased it. The Table below indicates the % change in the last 3 years (column 2) and the present % faculty in full time instructional staff (column 3).

I have also indicated the number of administrators that could be converted to faculty to bring the proportion of faculty up to the senior college average of 72% (column 4).

**TABLE 2**

1 College	2 % change in proportion of faculty 1994-1997	3 present proportion of faculty	4 administrators converted to faculty to reach 72% faculty
Baruch	+ 2	73	--
Brooklyn	--	78	--
City	-2	69	20
Hunter	+ 1	69	24
Jay	-3	64	29
Lehman	-3	72	--
Evers	+4	61	23
NYCT	-1	67	21
Queens	+ 6	79	--
CSI	-1	70	6
York	+ 3	71	2
		avg. 72	

It seems to me that it makes a bit of sense that before the 75 lines are given out based on the lack of teachers in the instructional staff model, that the Board should know if such a short fall is because of a college choice to put the resources into administration! Certainly the 40 total lines given to Jay seems questionable.

I do not have a direct suggestion on how to compensate. Perhaps by subtracting column 4 in Table 2 from Column 4 in Table 1? In any event, the distribution of the 75 lines (and the quantity itself) should be revisited.

Clearly, there are some colleges that have historically put their resources into

Speidel to Sohmer, 10/13/97  
 Faculty Hiring Proposal

faculty rather than administration. Using the present values as the base for previous calculations would aid those that have had a heavy proportion of administration. This is hardly fair when the distribution of new-found lines are based on "new" efforts to relieve the bloat.

111. The third point that I wish to make is that the use of the instructional staff model is itself misleading as to the resources that are truly needed. It assumes that all faculty are fungible. That is not the case. The ability to mount a major requires more resources than the ability to teach courses taken in the first two years of college. This is because the advanced courses taken in the junior and senior year require faculty to have appropriate specialized interests and knowledge. A price theorist and an international economist could each appropriately teach introductory courses in economics but would not be academically appropriate individuals to teach each other's specialty.

This would be true within any discipline. It takes more faculty to mount a major within an academic discipline than to teach lower level courses in that discipline. It takes still more faculty with different specialties to mount graduate programs, either master or doctoral. The instructional staff model also provides a measure of the distribution of effort among lower division (freshman and sophomore courses), upper division (junior and senior courses, presumably major courses), and masters level (non-PhD) production at the individual colleges.

**TABLE 3**

College	% Lower Div	% Upper Div	UD/LD	% Master
Baruch	36	41	1.1	23
Brooklyn	34	37	1.1	29
City	26	50	1.9	24
Hunter	33	40	1.2	27
Jay	51	39	0.8	10
Lehman	34	49	1.4	17
Evers	74	26	0.4	--
NYCTech	84	16	0.2	--
Queens	36	43	1.2	21
CSI	56	34	0.6	10
York	45	55	1.2	—

This analysis indicates that Jay, Evers, NYCTech, and CSI are all predominately lower division colleges. These are the colleges that also run associate degree



**ATTACHMENT B [cont)**

Speidel to Sohmer, 10/13/97  
Faculty Hiring Proposal

programs that are funded by the City instead of the State. City, Lehman, Hunter, Queens, York, Baruch, and Brooklyn all have more upper division than lower division activity. In addition, all except York have graduate level programs.

A programmatic distribution of lines determined by the number of offered majors and minors that considers the different specialization requirements for the faculty would give a different pattern of distribution than that based only on number of students taking courses in the department. It would also be a more academically reasonable way to approach the problem of staffing.

I hope that you have the opportunity to introduce these concerns into the discussion in a timely way. I will probably not be able to make Fiscal Affairs unless there is a specific request that I do so. In any event, it would have to be 3 or later.



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

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

October 20, 1997

To: Vice Chancellor Richard F. Rothbard  
The City University of New York  
535 East 80th Street  
New York, N. Y. 10021

From: Professor Karen Kaplowitz, President, John Jay College Faculty Senate  
Professor Tom Litwack, Chair, John Jay Faculty Senate Fiscal Affairs Committee

Re: Proposed Faculty Hiring Initiative

Dear Vice Chancellor Rothbard:

We hope this letter finds you well. We are writing, on behalf of the John Jay College Faculty Senate, both to comment on the Proposed Faculty Hiring Initiative that you sent to the College Presidents on October 6th and with the knowledge that on October 15th Prof Bernard Sohmer distributed to members of the Board of Trustees a memorandum from Prof David Speidel regarding the Initiative. We hope that you will consider our views before a final plan for distributing new faculty positions amongst the colleges is adopted. We are submitting a written statement of our views regarding these matters to the Board of Trustees.

To begin with, we wish to applaud your and the University's great efforts to obtain State funding "to replenish full-time faculty ranks in both senior and community colleges." Moreover, we are gratified that the proposed initiative allocates funds to establish 75 new full-time senior college faculty positions "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." Since, as you know, John Jay's current funding places it at the furthest remove amongst CUNY senior colleges from meeting this goal -- and far removed in absolute terms -- we expect that a significant percentage of these 75 new lines will go to John Jay, and we deeply appreciate your continuing sensitivity to the needs of all CUNY colleges.

However, it must also be pointed out that these 75 new positions would represent only 36% of the 1997-98 Cash Cost of the new positions to be allocated to senior colleges and only 43% of the 175 new positions themselves. Given how far removed John Jay is from the University's own goal of having 70% of classes taught by full-time faculty, and given the extreme disparities in the resources currently allocated amongst the Senior Colleges to attain this goal, it seems to us that, for that reason alone, a far greater share of the funds and lines to be allocated should go for the purpose of achieving the 70% goal.

ATTACHMENT C (cont)

This is particularly so, we believe, when one considers how the remainder of the new lines and funds are to be allocated. We have no quarrel, in principle, with the proposed allocation of 35 positions "to support targeted programs addressing critical University-wide priorities..." We recognize and accept that at any given time the University and individual colleges will have immediate and critical needs which must be addressed apart from meeting the 70% goal -- although it should also be noted that, to the extent that better funded colleges have vacant funded faculty lines there is at least a serious question why such lines should not be used to meet "critical needs" rather than utilizing funds and positions that could otherwise be used to better support the most disadvantaged colleges.

Our most serious questions concern the 25 positions to be allocated for faculty positions "created by a college through the redirection of non-teaching resources" and the 40 positions to be allocated "based on a measure that considers graduation rates". We can truly understand the stated rationales for these proposals -- to maximize the use of college resources for teaching purposes and to reward good performance -- and we can again agree with these rationales and goals in principle. However, given the realities of the situation in CUNY, the fiscally disadvantaged senior colleges such as John Jay -- *the senior colleges most in need of additional resources* -- cannot fairly compete for these lines.

The problem with allocating 25 positions in a matching program to encourage colleges to convert non-faculty to faculty lines is simple: amongst the senior colleges, at least, certain colleges are far better funded in terms of non-teaching lines than others (as well as in terms of full-time teaching lines) and therefore are far better able to convert non-teaching to teaching lines without seriously detracting from their ability to provide essential non-teaching services. For example, as you know, John Jay and City College have approximately the same number of FTE's and yet City College currently has approximately *twice* the base budget of John Jay. And, as you also know, we have long argued that John Jay's budget is well below what it needs to be and should be to properly meet the overall needs of our students and faculty.

One of the problems with allocating 40 positions based on graduation rates is similar -- and similarly serious: Certain senior colleges have far more resources with which to achieve higher graduation rates than others. But there is another problem with the graduation rate proposal: admittedly, some senior colleges have higher admission standards than others and can be expected to achieve higher graduation rates on that basis alone, *rather than because of better college "performance."* If the University wishes to reward senior colleges that have higher admission criteria, or that concentrate their efforts on better prepared incoming students, it should propose to do so explicitly, so any such proposals can be considered and discussed on their own merits. However, to distribute new lines based on \_\_\_\_\_ n in fact measure the quality of the efforts (or the truly comparable achievements) of the various senior colleges and which, in any event, are more easily achieved by already advantaged colleges strikes us as being: fundamentally unfair to John Jay and similarly situated colleges.

ATTACHMENT C (cont)

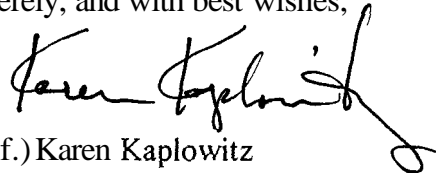
In sum, Vice Chancellor Rothbard, we again commend you for the very significant efforts you have made to improve the fiscal situation of John Jay -- and of the University as a whole. And we can well imagine that the concerns of many parties must be considered in any line allocation process. However, we are sure you will understand that we must continue to argue for true equity of funding for John Jay and for our ultimate goal -- equal opportunity for John Jay students (while recognizing, of course, as we always have, that some differences in funding amongst the senior colleges are legitimately based on differences in academic programs and physical plants).

We believe that John Jay is second to no senior college in CUNY in the quality, dedication, and performance of its faculty and staff -- or in the quality and importance of its academic and public service programs -- and deserves to be funded accordingly. Therefore, while we are very pleased that the University is obtaining and seeking greater State funding to support full-time instructional lines in CUNY (and while we agree that adding such lines to the CUNY budget is a far better vehicle for achieving equity than redistributing lines amongst the senior colleges) we believe that:

- (1) as long as some senior colleges, such as John Jay, are significantly removed ~~from~~ the University's goal of having 70% of instruction taught by full-time faculty, the great majority of newly available faculty lines should be allocated to advance and achieve that goal;
- (2) greater use of vacant funded lines should be made to achieve University goals;
- (3) if measures of "performance" are to be utilized in allocating resources, fairer and more sophisticated measures should be used than graduation rates; and
- (4) colleges, such as John Jay, that are already operating with the leanest *non-teaching* budgets should be strengthened and rewarded on that account, rather than further disadvantaged via University "incentive" programs which only already better funded colleges can, realistically, take advantage of.

Thank you very much, as always, for your consideration of our views. Again, we hope that you will take these views into serious consideration before any plan for distributing new lines amongst the senior colleges is ultimately proposed or adopted by the University.

Sincerely, and with best wishes,



(Prof.) Karen Kaplowitz  
President, John Jay College Faculty Senate



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

c: President Gerald W. Lynch, John Jay College of Criminal Justice



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

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

October 20, 1997

To: Members of the Board of Trustees  
The City University of New York  
535 East 80th Street  
New York, N.Y. 10021

From: Professor Karen Kaplowitz, President, John Jay College Faculty Senate  
Professor Tom Litwack, Chairperson, John Jay Faculty Senate Fiscal Affairs Committee

Re: Proposed Faculty Hiring Initiative

Dear Member of the Board of Trustees:

We are writing to you, on behalf of the John Jay College Faculty Senate, regarding the important issue of how individual senior colleges within CUNY are, and should be, funded and, more specifically, about the Proposed Faculty Hiring Initiative.

As you may well know, at the October 15th special meeting of the Board of Trustees Committee on Fiscal Affairs, Prof. Bernard Sohmer of City College, a member of the Committee, distributed to Trustees a letter from Prof. David Speidel of Queens College containing Prof. Speidel's views on the "Faculty Hiring Proposal" [actually, the "Proposed Faculty Hiring Initiative"] that Vice Chancellor Rothbard sent to the College Presidents on October 6th. We are writing to respectfully offer you our own views regarding the Proposed Faculty Hiring Initiative and Prof. Speidel's comments. We hope that you will take our views into consideration before any plan for distributing new faculty positions amongst the senior colleges is adopted.

The thrust of Prof. Speidel's comments is that the Proposed Faculty Hiring Initiative would allocate too many lines to John Jay at the expense of other colleges. We will make the case shortly that, quite to the contrary, the Proposed Faculty Hiring Initiative proposes a formula for distributing new faculty lines that would unfairly provide John Jay with far fewer full-time faculty lines than principles of equity -- and the City University's own stated goals -- require.

## ATTACHMENT D (cont)

Before presenting our case, however, we wish to state clearly that, despite our partial disagreement with the Proposed Faculty Hiring Initiative, we hold Vice Chancellor Rothbard in very high regard. Even when we do not agree with his recommendations or decisions, we believe that Vice Chancellor Rothbard has been, and is, sensitive to the needs of all CUNY colleges and CUNY students. Indeed, our concerns about the Proposed Faculty Hiring Initiative stem from the fact that, in our view, the Initiative is excessively and unduly responsive to the requests of the fiscally more advantaged senior colleges within CUNY, as opposed to the needs of the fiscally very disadvantaged colleges such as John Jay. And we wish also to convey our high regard for the Board of Trustees' recognition of the critical need for full-time faculty lines at CUNY. We applaud the Trustees' decision to develop creative ways to expand CUNY's budget allocation so that the maximum number of funded full-time faculty lines can be made available to the colleges.

In this context, two basic facts undergird our case for more resources for John Jay. (1) Although it is Board policy that 70% of course sections at senior colleges be taught by full-time faculty, CUNY's own statistics reveal that John Jay's current allocation of full-time faculty lines enables the College to teach *fewer than half* of its courses with full-time faculty, whereas various other senior colleges are already allocated sufficient full-time faculty lines to at least closely approach the 70% goal. (2) ***John Jay is funded far less well in terms of non-faculty lines and other resources than the better funded senior colleges of CUNY***, and this is so even when differences in physical plants and academic programs are taken into account. We also note that, in determining the number of full-time faculty that individual colleges should have to meet the 70% goal, the University already takes into account differences in academic programs and upper versus lower division students through its Instructional Staffing Model ("ISM").

The Proposed Faculty Hiring Initiative states a plan for allocating **175** new faculty lines to the senior colleges. Yet only **75** of those lines -- 43% -- are slated to enable underfunded colleges to better approach the 70% goal; and even if John Jay were to get 19 of those lines, as Prof. Speidel (who focused only on those 75 of the 175 lines) suggested, we would still be very far from the 70% goal and very far from the full-time faculty resources of the better funded senior colleges.

The Proposed Faculty Hiring Initiative also allocates **35** positions for "addressing critical University needs." We support this allocation in principle. We do, however, question the proposed bases for allocating the remaining **65** lines -- "a [performance] measure that considers graduation rates" (40 lines) and "an incentive program" that "will allocate full-time positions ... for each faculty position created by a college through the redirection of non-teaching resources" (25 lines). **As** we have stated at greater length in a letter we are sending directly to Vice Chancellor Rothbard, while we have no objection to fair measures of performance -- because ***we believe that the faculty and staff of John Jay are equal to any in CUNY in their ability, productivity, and dedication to students*** -- graduation rates are not a suitable measure of performance because some senior colleges have far more instructional and support resources than other colleges, and because colleges, in serving the historic mission of CUNY, have varying admission criteria. And the proposed "incentive" program is particularly unfair to the most poorly funded senior colleges, such as John Jay, which are seriously underfunded and understaffed in all ways and which, therefore, cannot convert non-teaching to teaching resources without seriously compromising other mandatory college functions or services.

**ATTACHMENT D (cont)**

Prof. Speidel suggests, in his letter, that John Jay is relatively understaffed in terms of full-time faculty because the administration of John Jay has chosen to devote the college's resources to administrative, rather than instructional, positions. We will leave it to the administration of John Jay to address this charge in full should it wish to do *so*. We do wish to state clearly our contention, however, that even if the proportion of administrators to faculty at John Jay is relatively high, compared to other senior colleges, the primary reason for this is that John Jay has not been provided, by CUNY, with sufficient funds and lines to have a proper contingent of full-time faculty.

Prof. Speidel also argues that the "instructional staff model" ["ISM"] "assumes that all faculty are fungible." This is simply incorrect. **As** already noted, the ISM takes into account differences in academic programs, and the special requirements of upper division and graduate courses, in determining what faculty resources a college requires (e.g., the ISM assumes that advanced economics courses should have fewer students per class than introductory economics courses). Thus, all other things being equal, the ISM already directs more teaching resources to those colleges that offer relatively more junior, senior, and graduate (rather than freshman **and** sophomore) courses than others.

Prof. Speidel also claims that John Jay is "predominantly [a] lower division college..." even though, according to his own statistics, **49%** of John Jay's courses are upper division or Master's level courses. Moreover, whatever the supposed implications of Prof. Speidel's upper division/lower division statistics are meant to be, given the continuing growth in John Jay's graduate programs, and recent policies adopted by the college, **we** expect that John Jay **will**, by any measure, be predominantly an "upper division" college in the very near future. And, if we may, we wish to restate what we have stated earlier: ***we believe that John Jay is at least the equal of any senior college in CUM in the quality of its faculty and staff; its academic and public service programs, and its crucial contributions to the mission of CUM!***

In sum, therefore, in order to achieve equity for John Jay College and, therefore -- and most importantly -- ***to provide equal opportunity within CUNY to John Jay students***, we request that the Board of Trustees **support** the following policies:

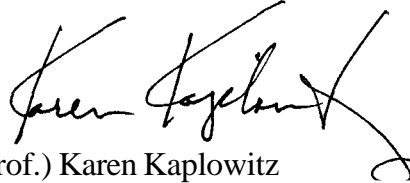
**1. The great majority of newly available faculty positions should be allocated to achieve the Board's own stated goal of having at least 70% of classes at senior colleges taught by full-time faculty.**

**2. Just as there is a precise formula for determining what teaching resources each of the senior colleges should have (given the nature of their programs and their mix of upper and lower division courses), and just as (to the best of our knowledge) there is currently a well-stated formula for determining how *non-teaching resources* should be distributed amongst the *community colleges*, a fair and well-articulated formula for distributing non-teaching resources amongst the senior colleges should be developed and implemented.**

ATTACHMENT D (cont)

Thank you very much for your consideration of our views regarding these important matters. We would be happy, at your request, to provide you with data supporting any and all of the statements we have made in this letter.

Sincerely, and respectfully, yours,



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



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

cc: Vice Chancellor Richard F. Rothbard  
President Gerald W. Lynch