

Faculty Senate Minutes #170

John Jay College of Criminal Justice

May 8, 1998

9:30 AM

Room 630 T

Present (25): George Andreopoulos, Michael Blitz, David Brotherton, Effie Papatzikou Cochran, Glenn Corbett, Edward Davenport, Jane Davenport, Kojo Dei, P.J. Gibson, Amy Green, Karen Kaplowitz, Kwando Kinshasa, Sandra Lanzone, Gavin Lewis, Barry Luby, James Malone, Mary Ann McClure, Daniel Pinello, Jacqueline Polanco, Frederik Rusch, Adina Schwartz, Lydia Segal, Ellen Sexton, Davidson Umeh, Agnes Wieschenberg

Absent (12): C. Jama Adams, John Donaruma, Arlene Geiger, Don Goodman, Edward Green, Lou Guinta, Roy Lotz, Ellen Marson, Deborah Nelson, Charles Reid, Carmen Solis, Bessie Wright

Guests: Ned Benton, Sreca Berunovic, Robert Crozier, Daniel Gasman, Sondra Leftoff, Tom Litwack, Gerald Markowitz, Catherine Rovira, Peter Shenkin

Invited Guests: Interim Chancellor Christoph M. Kimmich, President Gerald W. Lynch

AGENDA

1. Announcements from the chair
2. Adoption of Minutes #169 of the April 22 meeting
3. Discussion of the Student Evaluation of the Faculty process
4. Approval of Committee on Honorary Degree election slate
5. Report on the latest Comprehensive Action Plan (CAP)
6. Report on letters sent on behalf of the Faculty Senate to VC Rothbard, VC Mirrer, and Chancellor Kimmich
7. Invited guest: CUNY Interim Chancellor Cristoph Kimmich
8. Invited guest: President Gerald W. Lynch
9. Recommendation of additional candidates for honorary degrees: Prof. Daniel Gasman, Chair, Committee on Honorary Degrees
10. New business

1. Announcements from the chair [Attachment A]

Student Council elections were held May 6 and May 7 and the results announced the previous night [see Attachment A]. The Governor vetoed most of the additions to the CUNY budget that were approved by the NYS Assembly and the Senate [see Attachment A]. The Senate's Committee on Educational Technology and Computing has sent a questionnaire to all faculty which they would appreciate being returned before the semester is over.

2. Adoption of Minutes #169 of the April 22 meeting

By a motion duly made and carried, Minutes #169 of the April 22, 1998, meeting were adopted.

3. Discussion of the Student Evaluation of the Faculty process

Senator Davidson Umeh said that the Faculty Senate's explanations and instructions to the faculty, via phonemail and email about the interim evaluation forms, were excellent and he expressed gratitude for them. But, he said, even with all that information which he, and various colleagues to whom he has spoken, explained to their students, students nevertheless made mistakes in filling out the evaluation form. He said he even read President's Kaplowitz's email posting aloud to his students and demonstrated to the students how to fill out the forms and yet the students still made mistakes. He said the questions for which the values were reversed caused terrible problems and false responses. After the forms were collected, students were horrified to realize they had made mistakes and gave the opposite scores they had intended to and they asked for another form so they could redo the evaluation but he told them that was not possible: the forms had already been collected and, more importantly he felt, too much class time was already being used for this and there was important course work to do.

Senator Umeh said he believes that this evaluation instrument is a disservice to both the faculty and to the students who want to accurately evaluate their instructors. He said the Senate was absolutely correct in being concerned about the form when we saw it at our previous Senate meeting.

Senator Kwando Kinshasa said he asked six or seven members of the faculty what they thought about the form and their report was that there was widespread confusion among their students. He said in some cases students reversed the scores to correspond to the reversed values and, thus, gave the opposite score that they meant to, which was just what we feared would happen. Secondly, even though faculty told students to ignore the questions on the answer sheet about their name, birthdate, and so forth, students did enter that information and, therefore, did not treat the forms as confidential and, thus, did not necessarily provide truthful evaluations. Senator Kinshasa said that several faculty reported that they later realized their students had not entered the course codes properly. He said the process was one of general chaos.

Professor Ned Benton said the reports he received from faculty were that in many classes students insisted that the faculty were wrong in their instructions when, in fact, the instructors were correct. But the students were adamant that they knew how to properly fill out the forms and were trying to coach their instructors in a helpful way that made the entire interaction between students and instructor very awkward because the students were, in fact, a fountain of misinformation and that also meant, of course, that they had been filling out the instrument incorrectly.

Senator Gavin Lewis said that he, too, found his students insisting that his instructions were wrong. He said he explained that a 7 is always the best score and a 1 is always the worst

score but his students insisted that this was not the case when the values were reversed (helpful/unhelpful) and that in such cases a score of 7 is bad and a score of 1 is good: the students said they had been told this by instructors in their other classes where they had already filled out the evaluation forms.

Professor Peter Shenkin (Mathematics/Computer Information Systems) said he is not proud to admit the fact, but he is a member of the Student Evaluation of the Faculty Committee. He reported that the problems that have been cited by Davidson Umeh, Kwando Kinshasa, Ned Benton, and Gavin Lewis, extend from graduate students through upper-division undergraduates to lower-division undergraduates. Professor Shenkin said he gave the evaluation to his graduate class and quite a number of his graduate students asked to have their forms ripped up so they could redo them because they had filled the form out incorrectly. He said the graduate class was the fifth class he gave the forms to and by that time he was really adept at giving the instructions and yet his most advanced students made mistakes.

Furthermore, Professor Shenkin said, many of the graduate students are older, and they had very, very real difficulty in seeing the numbers 1-10 on the answer sheet because the numbers are in a really tiny font requiring excellent eyesight. The letters A-J are printed in a larger font but it was frustrating for students to have to continuously translate number scores into letter scores. Professor Shenkin also reported that his undergraduate students were annoyed that they were given answer forms with questions they were not supposed to fill in, such as their name and birthdate. Furthermore, students who wanted to give their instructors really high scores may very possibly have given scores of '10' because the sheet provides a range of 1-10 but such scores will undoubtedly be invalid.

In terms of what caused this situation, Professor Shenkin said there were supposedly technical reasons why we could not administer the evaluation as we had in the past. He said he believes the technical reasons ultimately translate as insufficient resources being allocated to the evaluation process and the argument made for outsourcing the scanning was that the College saves money by not doing the scanning in-house. He noted that part of the confusion may be that faculty received two official sets of instructions, one in their mailboxes that said the students should put their names on the forms, and so forth, and the second version which was placed in each envelope with the evaluation forms. He said it seems that the instructions that Professor Haig Bohigian, the Chair of the Committee on Student Evaluation of the Faculty, had given were not the ones that were first distributed to the faculty.

Professor Shenkin said the claim was that the questions are the same as in the past and the values are randomly reversed as in the past and that, therefore, it is the same form. He said that one look at the form reveals that the reality is very different, not least of which is the fact that the previous form reversed the order of the numbers 1-7 whenever the order of the values were reduced from positive/negative to negative/positive. He said that when he saw the form as a member of the Committee, he had difficulty understanding it and he still has that difficulty and, therefore, it is not surprising that faculty and students are confused. He said that it is obvious that everyone is having trouble using it properly. He said that what the Committee worried about is the fact that the evaluation results are used for

promotions, tenure, and reappointments. Just one of the problems he envisions is the possibility of students bulleting a "10" because they think their professor is excellent and yet those "10" scores would undoubtedly be invalid.

Vice President Daniel Pinello said that Senator Kinshasa has provided him with Lehman's evaluation instrument, which he characterized as a wonderful instrument, especially compared with ours. He said not only does it contain appropriate questions but the choices are given above each question and the choices are: **"excellent, above average, average, below average, poor, not applicable."** In addition, students filling out the form are asked their class standing, whether this is a required course for them, the final grade the student expects to receive in the course, all of which is directly pertinent to interpreting the responses. VP Pinello asked what do we do now? That is, how do we know the extent of errors: even if there are no obvious mistakes, such as 9's and 10's, he does not see how we could test for whether the inverted-value questions were properly understood by each student.

Senator P.J. Gibson said that she appreciates Kwando's providing Lehman's instrument because as someone who was last week elected to the new Committee on Student Evaluation of the Faculty, the first meeting of which is next week, she wants advice from faculty as to the kinds of substantive questions that should be included in the instrument, questions that would really help faculty understand their students' perception of their teaching. She asked that faculty provide her with their recommendations. President Kaplowitz offered to provide the evaluation instruments of all the CUNY colleges, copies of which she had given to Computing Director Marc Eichen for the Committee several months ago. She said almost all the instruments look to be excellent.

Senator Kinshasa asked for more information about her report about an outside consultant who is supposed to review and assess this semester's instrument and its use. President Kaplowitz said that the phonemail and email messages refer to the decision reached at the conclusion of a lengthy discussion on April 29 between Provost Wilson, VP for Legal Affairs Diaz, Computer Director Eichen, Associate Provost Kobilinsky, Professor Harold Sullivan and her (the discussion had included Professor Bohigian, chair of the committee on student evaluation of the faculty, but he had had to leave for class before a course of action was agreed upon). The agreement was that the evaluation would be administered during the subsequent two weeks and then an outside expert would be selected who would hear various viewpoint and then the expert would evaluate both the instrument and the responses. The expert would then give her or his opinion as to the validity of both the instrument and the results but that it will ultimately be the faculty leaders who will decide whether the evaluation results will be used in the personnel process. She said that as far as she and Professor Harold Sullivan, the Chair of the Council of Chairs, are concerned, the term "faculty leaders" means that the President of the Senate and the Chair of the Council of Chairs, will consult with and ascertain the judgment of the Faculty Senate and the Council of Chairs in September and will report the decisions of those two bodies.

She reported that she has received many, many calls from social scientists on the faculty who expressed their horror at the instrument: Professor Lydia Rosner, of the Sociology Department, called offering to testify in any forum that the instrument is invalid; David Sternberg called to express his incredulity; Harold

Sullivan offered to testify on behalf of anyone who has a negative personnel action based at all on the results of this instrument; Professor Marilyn Rubin, of the Department of Public Management, called to say that her criminal justice MPA students were totally confused and they asked how this could be the instrument of the College with the number one criminal justice policy master's program in the country -- they were embarrassed as social scientists that their college was using this instrument. Professor Gwen Gerber, of the Psychology Department, is a member of an organization that does this kind of evaluation and at President Kaplowitz's request she is providing names of outside experts who could be asked to be consultants, names which will be forwarded to the Committee Chair.

Professor Gerber also described a serious flaw that has consistently marred the evaluation instrument. The first question is, "The instructor's attitude toward his/her students is ... tolerant/intolerant." Originally, the question had read, "The instructor's attitude toward his students is tolerant/intolerant." Recalling that many faculty felt a victory when "his" was finally changed to "his/her," she said that Professor Gerber's information is that the entire literature shows that in all evaluations, of any kind and of any group, women are always more negatively evaluated than men, without exception. Furthermore, whenever the issue of gender is introduced into an instrument, it further reinforces the bias against women. So the question should read: "The instructor's attitude toward the students in the class is tolerant/intolerant." Professor Gerber further noted that by having the issue of gender introduced in the very first question, the damage is at the greatest possible point in reinforcing the bias against women because this negative reinforcement then exists for the remaining 19 questions as well. This was in addition to her opinion that this semester's the entire process was invalid.

Professor Anya Taylor of the English Department reported that she administered the instrument yesterday and, thus, her students had already filled them out in their other classes and insisted they did not need to hear the instructions yet again. Professor Taylor nevertheless insisted on reading President Kaplowitz's email instructions at which point her students became very upset because they realized they had filled out the forms incorrectly: some wanted to praise their instructors and now realized that they had inadvertently given them terrible scores and others were in the opposite position. Many students said their instructors had not given the same instructions that Professor Taylor did.

Senator Frederik Rusch said that he is waiting until next week in the hopes that the instrument will be recalled and, so, he asked how much time is being taken up in class. Senators reported that in some cases entire class sessions were taken up with this.

Senator Umeh said that because we have reports of widespread confusion, we should recommend that the results be shelved. Vice President Pinello said that as someone who is up for tenure and promotion in the fall and for whom, therefore, this evaluation is very important, he hopes, for his own sake and for those in his position, we not make an immediate decision to shelve the results and find a way, if at all possible, to salvage the evaluation.

Professor Shenkin reported that although the decision to outsource the scanning was based in part on the fact that the SIMS course code would facilitate such scanning, when the extent of the problems students were having was realized, it was decided

that staff from either the **Provost's** Office or from the Computing Center will go over each answer sheet, one at a time, and manually enter the correct SIMS course codes before the forms can be sent out to be scanned.

Professor Shenkin noted that another problem has recently been brought to light. The number of completed answer sheets is to be entered in the section asking for one's birthdate. If only **8 forms** were collected the number **8** has to be put in the column furthest to the right. If it is put into the column next to that, the number will be scanned as **80**, which will bring the average of scores tremendously down.

Senator Gavin Lewis said he appreciates the situation of people in the situation of Dan Pinello, but so much evidence has been shown here that the instrument is unusable that if it gets used in the personnel process in the fall then everybody for whom that process does not have a satisfactory outcome will instantly be able to grieve. It was pointed out, however, that if it is not used, any one who does not have a satisfactory outcome can also grieve because the Personnel Committee will not have had all the input used in personnel actions.

Senator Kinshasa said it is clear that whether the evaluation results are used or not, people who receive negative personnel actions would have a basis for a grievance, and this is potentially very embarrassing for the College. Senator Adina Schwartz suggested that one solution is to have positive personnel actions for everybody who is coming up for a personnel action in the fall. Senator Kinshasa called that a fair solution and one that would send a powerful message to those who are responsible. He added that this bungled operation seems to reinforce our students' tendency to believe that their opinions are not really valued and, furthermore, it wrongly gives the impression that the faculty do not care about their students.

4. Approval of a slate for election of faculty to the Committee on Honorary Dearees

A slate of names for four seats on the seven-member Committee on Honorary Degrees was approved by the Senate: William Coleman (English), Peter DeForest (Science), Jannette Domingo (African-American Studies), Daniel Gasman (History), Holly Hill (Speech & Theater), John Kleinig (Law, Police Science, and CJ Adm), and Dagoberto Orrantia (Foreign Languages & Literature).

Three Committee members will continue their 3-year terms: Lotte Feinberg (Public Management), Betsy Hegeman (Anthropology), and Tony Simpson (Library). Only tenured faculty holding the rank of associate professor or above may serve on the Committee. Ballots will be sent to all full-time faculty later this week.

5. Report on the May 6 version of the Comprehensive Action Plan

President Kaplowitz distributed copies of the resolution presented on May 6 at the Board's Long Range Planning Committee:

"RESOLVED, That all remedial course instruction

shall be phased-out of all baccalaureate degree programs at the CUNY senior colleges as of the following dates: September 1999, for Baruch, Brooklyn, Queens, and Hunter Colleges; September 2000 for Lehman, John Jay, Staten Island, New York City Technical, and City Colleges; and September 2001 for York and Medgar Evers Colleges. Following a college's discontinuation of remediation, no student who has not passed all three Freshman Skills Assessment Tests, and any other admissions criteria which may exist, shall be allowed to enroll and/or transfer into that college's baccalaureate degree programs. Students seeking admission to CUNY senior college baccalaureate degree programs who are in need of remediation shall be able to obtain such remediation services at a CUNY community colleges, at a senior college only during its summer sessions, or elsewhere as may be made available. This resolution does not apply to ESL students who received a secondary education abroad and who otherwise are not in need of remediation; and be it further

"RESOLVED, That the Interim Chancellor and the senior college presidents shall, after consultation with the faculty, present a detailed plan for implementation of this resolution at the respective colleges to the Remediation and Long Range Planning Committees by September 1998."

The Board's Long Range Planning Committee is called into session infrequently. The last time, before this semester, was in May 1995, when it approved 37 far-reaching policies. The Committee comprises the chair and vice chair of the Board of Trustees, the faculty and student trustees, and the chairs of all the Board's standing committees and, therefore, the members are: Anne Paolucci, Herman Badillo, Sandi Cooper, Mizenoor Biswas, Ronald Marino, John Morning, James Murphy, Susan Mouner, and Nilda Soto Ruiz. Because several of the most liberal members of the Board were appointed to chair Board committees, possibly because they were long-standing members of the Board, the Long Range Planning Committee is not necessarily representative of the full Board. The Long Range Planning Committee has yet to vote on any proposal, presumably because no proposal has yet had a sufficient number of members willing to vote affirmatively. Thus the deliberations and actions of the Long Range Planning Committee are not necessarily predictive of the ultimate action of the full Board. The first version of the Comprehensive Action Plan (CAP) was drawn up by Chancellor Kimmich. That version permitted a year of remediation at the senior and community colleges and would have permitted a 15-month freshman year, with 5 semesters: summer, fall, intersession, spring, and summer.

The resolution, which was released the morning of May 6 for discussion that afternoon, calls for ending remediation in the baccalaureate programs of all senior colleges. This would mean that we could continue to offer remediation courses to our associate degree students. But those trustees on the Long Range Planning Committee who spoke in opposition to this resolution predicted that if this resolution were to pass, the next step would undoubtedly be to phase out remedial course instruction in associate programs, which Mayor Giuliani called for in January.

President Kaplowitz pointed out that the resolution, by having a 3-stage phase-out, is constructing an explicit 3-tier framework of the senior colleges. Only those students who have

already passed the three placement tests in writing, reading, and mathematics will be permitted to enroll in or transfer into the baccalaureate programs according to the resolution. She said that the May 6 meeting was the most rancorous meeting of Trustees that she has ever witnessed.

She reported that although the (outgoing) president of Baruch has been boasting that there is no remediation at Baruch, he nonetheless spoke against the resolution because the policy, as written, would mean, he said, that more than 30% of the entering class at Baruch would not qualify for admission. This is because Baruch offers no "remedial course instruction" although it accepts students who have failed placement tests: instead of "course instruction," Baruch provides "tutoring" of groups of varying size, including groups of 25 or 30 students. Although 96% of those admitted to Baruch pass the math placement test, only 86% pass the reading placement test, and only 70% pass the writing test. Thus, 30% of the 1200 students in Baruch's entering class each fall would not be eligible to attend Baruch. She reported that when asked the impact on the other senior colleges in the first phase-in group, VC Bill Proto responded that the decline of new full-time freshmen and transfer students at Baruch would be 39%, at Hunter 41%, at Queens 43.5%, and at Brooklyn 49.6%.

Senator Tom Litwack asked whether the language of the resolution would allow students who are denied admission to the baccalaureate program at Brooklyn, for example, to apply to the associate program at John Jay? It is not clear that they would be permitted to do so. The relevant sentence in the resolution states, "Students seeking admission to CUNY baccalaureate degree programs who are need of remediation shall be able to obtain such remediation services at a community college, at a senior colleae only during summer sessions, or elsewhere as may be made available." Does that mean, he asked, that a student who applies for a baccalaureate degree program at another senior college but does not get admitted because the student did not pass all three placement exams can not choose to come to John Jay? He said it is a crucially important question in terms of the implications of the resolution for us. President Kaplowitz suggested we raise this question with President Lynch. She said that an official at 80th Street told her that the thinking at 80th Street is that John Jay will be severely hurt by this resolution because our baccalaureate program will shrink severely and we do not have associate degree programs of sufficient range to attract students. She added that this person had not known of the proposed associate degree in criminal justice that is in the pipeline. The person's rejoinder was that even with such a program, students who are not interested in John Jay from the outset are unlikely to be interested in John Jay as an alternative to the colleges they were hoping to attend and they will have other choices. She said we must expand our advertising and recruitment efforts because even though the Office of Admissions has been doing an excellent job, this is an entirely new situation we are facing.

President Kaplowitz reported that Trustee Murphy, knowing that the resolution would fail if brought to a vote, insisted that the Long Range Planning Committee vote on the resolution. Chair Paolucci kept insisting there was no need for a vote. Trustee Murphy made a motion in support of the resolution: six of the Trustees voted no: Biswas, Cooper, Morning, Mouner, Murphy, Ruiz. The yes votes were Paolucci and Badillo. (Marino was absent.) Then Chair Paolucci said even though the motion in support of the resolution failed, the resolution would be on the agenda of the

May 26 Board of Trustees meeting for a vote. An argument about the legality of such a course of action ended when Vice Chancellor for Legal Affairs Roy Moskowitz said that there is no law or bylaw requiring a resolution to have a committee's approval in order to be presented to the full Board of Trustees as an agenda item. Chair Paolucci's announcement signals that she believes there are enough votes on the full Board for this resolution to pass. And Vice Chair Badillo is quoted in today's New York Times as saying the resolution has the necessary nine votes.

The New York Times story includes a chart showing the percentage of first-time freshman in CUNY's senior colleges in the fall of 1997 who had not passed one or more placement tests, and thus, would not have been admitted to baccalaureate programs if the proposed resolution had already been in effect: the percentage of students who failed at least one placement test ranged from 38% at Baruch to 86% at Medgar Evers. The figure for John Jay was 68%. The average percentage for the senior colleges was 63%. The source of the chart was given as CUNY.

President Kaplowitz said Chancellor Kimmich does not support this resolution but he must implement policies established by the Board. Concurrently, the Governor has vetoed most of the additions to CUNY's budget that the NYS Legislature added [see Attachment A]. At a meeting the previous day at 80th Street of the CUNY Legislative Action Committee (CLAC), Chancellor Kimmich asked that each college immediately engage in a letter writing campaign to urge the legislators to restore funds to CUNY for two things: full-time faculty lines and per student base aid for community colleges. She said she and Vice President Pinello this morning decided to co-chair a John Jay legislative action effort if such an activity is endorsed by the Senate. A motion so authorizing passed unanimously.

Professor Litwack said our meeting with Chancellor Kimmich should focus on the resolution on remediation and not about the specific needs of John Jay because the negative fallout from the remediation resolution may be greater than any of the problems we are now facing. He also questioned whether the Legislature would still support additional full-time lines for the University if it looks as if the University will lose many, many students because of this resolution.

Senator Sandy Lanzone noted that Mayor Giuliani's task force studying CUNY comprises a number of people committed to privatization, including its chair, Benno Schmidt, head of the Edison Project [see Attachment A].

6. Report on letters sent on behalf of the Faculty Senate to Interim Chancellor Kimmich and to VC Rothbard and VC Mirrer

President Kaplowitz reported that Chancellor Kimmich's Office telephoned her upon receiving the letters of April 22 -- letters to Vice Chancellors Rothbard and Mirrer and to him -- that she and Tom Litwack wrote on behalf of the Faculty Senate about John Jay's inequitable funding and about the draft proposal for performance based budgeting [see Attachments C & D of Minutes #169 of the April 22 meeting].

She was told that Chancellor Kimmich expressed his appreciation to the Senate for the letters and that he would be

speaking to President Lynch about them. Vice President Pinello asked the Senate to thank Tom and Karen for the letters, which he called outstanding. [The Senate applauded.] She and Tom Litwack thanked the Senate and she expressed appreciation to Professor Ned Benton for the excellent letter he sent to Vice Chancellor Rothbard about the performance budgeting proposal.

7. Invited guest: CUNY Interim Chancellor Cristoph Kimmich

President Kaplowitz: Welcome to John Jay's Faculty Senate. All of us are truly appreciative of your being here, especially given that the demands on your time and energies are even greater than when our invitation was extended and accepted. Because you explained to me that your time is somewhat limited, I'd like to note that everyone here has read your cv [on file in the Senate Office], we recognize your splendid accomplishments as a scholar and administrator, we've read the Q&A interviews in "CUNY Matters," and note the praiseworthy fact that as provost at Brooklyn you continued to teach a freshman course every year and, thus, in addition to your work as a scholar and administrator you have continued to be active as a teacher. We are very interested in hearing you speak about the University and would like to answer any questions you have about John Jay and we hope that you would be willing to answer questions we may have.

Chancellor Kimmich: Thank you so much Karen. I'm very interested in having a dialogue because I am very interested in hearing what is on your mind and in hearing what the issues are on the campuses. I would like to first make some observations that, I think, will get us started.

For me the most immediate, the most urgent issue is, of course, what has been happening to remediation at this University and on the campuses. What we saw at the [May 6] Long Range Planning Committee meeting of the Board was perhaps the most serious and the most restrictive document that we have seen prepared not by the Chancellory, by any means, but rather prepared in connection with certain Trustees and clearly prepared by some elements outside the University. It is probably, I think, one of the harshest documents that I have seen or that has been presented anywhere in this country when it comes to public higher education. It is a document that I certainly can not endorse . . . [The Senate interrupted with applause] . . . and that all of us would have to take issue with because it would so fundamentally change the University that we wouldn't recognize it. That is clear. It also has some very significant immediate implications given the timelines, given the dates according to which it is to be implemented. It proposes the abolition of remediation by preventing students who have not passed all three placement tests from even enrolling in the University at any of the [senior] campuses. The budget implications for all the campuses, for this campus, is really very significant.

At the senior colleges we are talking about anywhere from a 30% cut to a 40% cut and at a 40% cut you can't live. I don't think that I am exaggerating in saying that some institutions -- not all -- will be faced with the choice of either abandoning all their flexible funds that pay for laboratories, for chalk, for paper, for temporary staff, for adjuncts, or letting go full-time staff. That is the realistic position that a number of colleges will find themselves in. I even think that for some of the

institutions in the University it goes further than that: can they survive? So this is a proposal that I would certainly fight very strongly against and much of my time spent both in the Chancellory and outside has been devoted to that particular point. Let me say, also, that I do think we can do better than we have. That is to say, the issue of remediation, the issue of how we deal with underprepared students is, to my mind, an issue that needs to be discussed, that deserves serious debate, and can deserve improvement. Certainly my own local experience at Brooklyn suggests that it does deserve improvement but doesn't deserve the kind of basic attack that it has suffered. And you will notice, and I say this aware of all the implications and ramifications of what I'm about to say, you will notice that this is directed only at the City University and not at SUNY and we know there is a clear underlying difference between those two institutions and that has not escaped anyone. There is an implication here which is a very nasty implication which I think needs to be brought out into the light of day and be resisted.

The second immediate issue that I spend my time on, what is left of it after meetings about remediation is, of course, the budget. We had gone into the budget two weeks ago before the Governor's vetos with a great deal of optimism thinking that since everybody was agreed -- Republicans and Democrats, Assembly and Senate -- there was a real hope of building up the momentum for the kind of support we were looking for. We started with an even budget, which is a rare occasion: we didn't start from behind, we at least started with what we had last year, it wasn't great but at least it was there, and so the only place we could go was up and we did go up. I think there was a very significant change on the part of the Legislature, on the part of both houses, I really must say I find it heartening the way the campuses weighed in with their contacts, with their letter writing, with their support of University-wide initiatives -- to get to where we got and we had a very good response from the legislators and until two Sundays ago we thought we would have an enormous amount of flexibility that would allow us to do a number of things -- all of us need faculty, it is an across the board issue, we need to help the community colleges, we need specifically to address inequities within the system and John Jay, of course, is very much on my mind in this respect, and so until we had the Governor speaking to us so negatively on the subject we had a great deal of hope that we could address those issues before the summer was over. The Governor vetoed everything in the operating budget that had been put in, but he did leave, thankfully,, the capital budget untouched so there is hope and I am grateful we had that kind of plan -- it is not entirely doom and gloom, there is something there but in the operating budget, which keeps us going from day to day we are back to where we were in January. I said to the Presidents the other day that I would like to open all possibilities of persuading the Governor to be less committed to the original figure. Even if we can't get everything the Legislature had put on the table at least I am prepared to look for [funding for] three things: first, the faculty, which seems to me to be the top priority; second, assistance to the community colleges to raise their per student aid; and three, aid for part-time students: to deprive our many part-time students of some access to higher education is just wrong.

The strategy is twofold: even though the legislators in the Assembly say we are behind you, don't write to us, I still think we should write to them. They shouldn't just assume we are interested: they should know about it, they should be able to say

to their leadership that they have a stack of 100 letters, of 1000 letters, of 10 pounds worth of letters that say that the City University is very unhappy with this. When the legislators get such letters they go to the leadership, they go to Speaker Silver, they go to Senator Bruno, and say, "I'm getting a lot of reactions from the people down home." That's a good strategy. They may say don't write, we know what you're worried about, save your time, save your 32 cents, but don't listen: write. The second thing we're hearing is that they are going to let the pressure build up on the Governor, the heat will rise and he will change his mind. If the heat is supposed to rise, we have to build up the fire. Letters to the Governor will help. So another level of attack is reaching into the Governor's Office by directly writing and calling, and if you know people who are in that Office who are close to the Governor those are the people we need to contact. He should not think we are very happy with what we've got because we're not. Third, we need to enlist the media because they need to know from us that this is a destructive set of vetoes for us, that in this time of a Wall Street lift of tax coffers bursting at the seams we can not get assistance after decades of neglect, decades of budget reduction.

As part of that third item, we are putting forward not only a great deal of effort at the Central Office but we are putting together the kind of data that will help us make our case about faculty, about graduation rates which, as you know, have always mislabeled us. We are working to be more accurate with the kind of data that we understand, internally, but that the outside world does not understand. We have to be more effective in reaching out to the public and saying this is what we are about, stop focusing on one item, which is that we get poorly prepared students. Look at our outcomes, look where our students go, look where we stand in national rankings. I need not tell you [at John Jay] about national rankings, you know very well about national rankings. [Laughter.] That's the kind of thing that tends to get lost.

The third issue is what I call the mayoral missiles, which are launched at us at every occasion from every corner with different velocities and different targets. My own reaction to this has been that it does not pay to be confrontational with the Mayor. He has much greater resources to fight the battle than we do and he will always have the last word: no matter how kind the media is to the University, when the Mayor speaks he will get the last word. So confrontation is not the strategy. I do, however, think we can do a clearer and better job and that is what I've asked my staff to do: to get out the message much more clearly on attendance, on issues like that, so that if he raises an issue we have an answer. We are doing, in fact, exactly what he accuses us of not doing. Having now confirmed -- it took us some time to do that -- what the community colleges do, they are in compliance with the kinds of things he claims we are not in compliance -- let's get this information out. We can do this in a reasonable, rational way, explaining that the Mayor has not been fully informed and these are the facts. We can also reach out to our friends in the labor community and in the business community across the City. There are people the Mayor does listen to. When we visit with the Mayor's Office what I get is a lecture. All of us know that lectures tend to be one-sided: from one person to the other. So the issue has to be how do we reach him if he is impervious to rational argument. You are all familiar with the phrase 'data-proof.' We need to reach him in ways that he does listen. He might listen in terms of politics, in terms of donations, in terms of his ambitions. He is clearly not

addressing issues of the University or of the City; he is addressing issues that play to his larger ambitions beyond New York City. I think we are all clear about that. So we need to take advantage of that to get him to back off in some ways. Those are the three immediate, day-to-day issues.

There are larger issues: there is the whole question of where this country is going with respect to higher education. It's interesting to me to follow this in terms of geographical dispersion. In the Northeast, public higher education is probably at the lowest ebb it has ever been. In the Midwest, where many legislators in the State Legislatures are graduates of the public university systems, there is almost a pride in building up the system, to stand up for the Iowa system, for the Arizona system, for the Michigan system. But this is not true in New York, it's not true in Massachusetts, it's not an Eastern thing to do. We have always been here on sufferance even though New York State has the first and third largest systems in the country.

One of the things I have been pushing -- and it leads me to a related point -- with my counterpart in SUNY is the notion of developing a higher education strategy. If the two systems can get together, that would be a formidable force and if we could enlist some of the privates, although there is always a bit of competition there, it would be even more formidable. When you think that, just by itself, New York City has 96 universities and colleges, not counting the religious-related ones, that is already a considerable group. When you think of the 64 SUNY campuses, when you think of Cornell and some of the other major campuses across the State, if we could agree on a number of basic points I think that this is a force that can't be ignored. Right now, we are the recipients of a divide and conquer strategy, of a competitive strategy, making sure we all compete for the same scarce dollars and we can't seem, at least so far, to understand that we'd be stronger if we'd play a joint game instead of separate games. It's important for New York State, it's one of the things on my agenda, and I think it is also important for the United States as a whole and I don't see much, quite frankly, discussion of this right now.

The discussion that goes on is in the direction of privatization -- all of you have seen that; in the direction of distance-learning universities, which have no home, no campus, anywhere, except in cyberspace (and of course technology feeds into this and although technology need not necessarily be bad, the use of it can be threatening to more traditionally oriented universities). What is lacking, it seems to me, is restoring the sense that higher education and, especially, public higher education has played and can play and will play a significant role in this country. It is the story of myself, as you may know. One of the most impressive things that, to my mind, this country has produced is public higher education. You don't see this in Europe in the way that we have developed it, certainly not in higher education and the way that our country has been shaped by it is just extraordinary. I don't believe we can think of American history without the impact of public lower and higher education and the significance of that discussion has simply gotten lost. I'm not quite sure -- I can think of reasons and I can speculate about reasons -- but I'm not quite sure how to get back on track. We've become a side show: "one of the other agencies." Albany's view is: "here's sanitation, here's corrections, here's higher education." But we are not interchangeable with these other agencies.

Somehow we have failed to retain the role in the public consciousness that we had in previous decades and over quite some time. Think of the commitment to land grant colleges, when you think of the commitment of this City in the 1930s in the depths of the Depression to build two new colleges, Brooklyn and Queens Colleges, which are Depression colleges. That those campuses were built in the worst period of our national depression is a real vote of confidence in higher education and now we are not talking about building new campuses, we are trying to defend ourselves to just retain the status quo: that's a significant difference. And it's not as if we're in the depths of depression this year. So there are enormously large issues, public issues, national issues, policy issues that it would be good for us to think about and to develop strategy about because that, to me, is the larger context.

Why is it that New York State can get away with the sense that higher education should be regularly reduced every year and nobody really complains except us? Nobody sees this as a particularly important issue. Crime and jobs become important issues -- they are not insignificant issues -- but why should they minimize the opportunities that higher education, in fact, gives to people who are looking for jobs, who are looking for a better life. And, too, in a large sense, the continued well being and prosperity of this country depends on what we do. So there is that very large issue for me, for all of us. Then there are the immediate issues which are on the State level the budget and on a very local level, which is the University, the Board of Trustees, the issue of what becomes of our mission in the future, remediation being just the code word for our mission, and what becomes of a university in a city with a hostile mayor and very few defenders.

The final point, which you all understand, is that the University, as such, which is built on consensus, on internal governance, and on internal integrity, is a very fragile institution. We cannot fight back. Let us assume we go on strike: the Mayor will say, 'Good. We'll save some money.' The police go on strike and the City rises up in arms. I'm not sure we have that kind of protective shield. We are a fragile institution, we depend on the life of the mind, which is not something one can count, which is not something that really matters on a tangible level but it clearly matters in a highly significant way on a larger level. So we need to reach out for those people who can stand between us and those battering rams because as an institution we do not have much resistance to battering rams. Other agencies can withstand that but we have a very difficult time withstanding it. Lining up support among our friends in politics, whether it is the City Council, whether it is the Assembly and Senate, lining up support with those for whom we are of enormous benefit, the working, labor community of this City, pulling support from the business community, which also stands to gain from us. I have this fantasy of giving everybody who has ever graduated from this University or is related to anybody who has ever graduated from this University an indelible mark so everyone can recognize them when they walk through their corporate headquarters and every second person has this little indelible mark imprinted on their forehead saying, "I'm a part of this organization and I went to or a member of my family went to CUNY." This is the kind of strategy that can work for us.

All of these are somewhat gloomy things so let me say that if we look at what do and at the outcomes we produce, we are a

remarkable institution and we should never lose sight of that. The reason I am where I am and am enjoying what I am doing is that it is exhilarating to be, even if only temporarily, at the head of this remarkable institution. We have talents in our faculty, we are an enormously rich resource for this City and for the nation, we have outcomes from students who we send out into the greater world that are remarkable. There is one statistic that I'm been using whenever we can. You all know we have been in existence since 1847. In the first 100 years of that existence, from 1847 to 1947, the Free Academy followed then by City College followed then by Hunter College, Brooklyn and Queens, in those 100 years we graduated 42,300 students (diplomas, certificates, degrees). That is the number that we now graduate every 18 months. That is very, very telling. That's remarkable. I never want to lose sight of that. It's what keeps me going and I hope it will keep you going, too. It's institutions like this one and our sister institutions that accomplish this. Now tell me what's on your minds. [The Senate applauded the Chancellor for his remarks.]

President Kaplowitz: In light of your comments, I'd like to report that this morning, after I reported your comments of the previous day at CLAC [CUNY Legislative Action Committee], the Senate re-established its legislative action committee, which Professor Daniel Pinello of the Government Department, who is vice president of the Senate, and I will co-chair so as to get the letters written and sent to the legislators and Governor in the next several weeks. As you pointed out yesterday at CLAC there may be a supplemental budget passed during the summer, so we will start working on this immediately.

Chancellor Kimmich: Good.

President Kaplowitz: I attended the May 6 Long Range Planning Committee meeting and I have been trying to convey a sense of the meeting to my colleagues. I thought the two most stunning moments were when President Matthew Goldstein reported that if this resolution passed, after all the rhetoric about there being no remediation at Baruch, 30% of the freshmen would not be admitted to Baruch and then VC Proto, when asked, gave the freshman and transfer declines that would occur at the four colleges that would no longer be able to admit remedial students a year from now. Then when the six Trustees voted against the resolution, Trustee James Murphy asked you to develop an alternate resolution for the May 26 Board of Trustees meeting incorporating Trustee Morning's proposal that would permit up to a year of remediation and as little as zero remediation at each senior college and that each college provide the proposal it determines best suits its needs, subject to your approval as Chancellor. Then VC Moskowitz said there is no way of forcing such a proposal onto the agenda but there was an expression of support by the six trustees who voted no to have the alternate proposal on the agenda as well. Could you speak to the question of whether you foresee having an alternate proposal that we could speak to at the May 19 public hearing of the Board? It is very unfortunate to only speak against a proposal: it is much more powerful and positive approach to be able to also speak in support of a resolution.

Chancellor Kimmich: On this last point you are absolutely right. We have always been on the defensive and we need to be on the offensive here. There is something quite odd about what I've been asked to do and Karen has described it quite accurately. I was asked by one of the Trustees to develop a resolution that would in effect allow senior colleges to offer remediation for one semester

or more if they needed it or less if that was what they wanted. That is already in place now and so I find myself in the somewhat odd position of being asked to draft a resolution which reiterates a resolution which the Board passed in June 1995. So we are trying to determine the implications of that: what would a Trustee say to a resolution that essentially recapitulates an earlier resolution? If I were a Trustee, I'd say this is unnecessary, we've already done it. I'm a little uncertain about the position I've been put in, first of all, to develop a proposal to counter a proposal of the Chair of the Board for which I work. The second issue is developing a proposal that essentially simply recapitulates what is in place now. I am working to see if I can put together something positive, nonetheless. On the procedural question, parliamentary procedure does allow a member of a Board to offer a resolution at any time when there is "new business" on the agenda, and there is always "new business" on the agenda, but in addition when there are moments in the course of discussion when it might seem appropriate, for example when someone else proposes a resolution one may offer a resolution as a counter proposal or as a substitute motion. I'm certain all of you have practiced this yourselves. I do not foresee any chance that a counter resolution taking a very different tack from the one proposed by Chairwoman Paolucci and Vice Chair Badillo would not make it to the agenda: I certainly think it would make it to the agenda. The question is what form it will take and how do you defend yourself against someone saying that we passed this three years ago. I'm trying to find my way out of that dilemma.

President Kaplowitz: I found of particular importance an issue which Trustee Morning articulated and which Trustee Murphy repeated, which was that an alternate resolution should contain a requirement of strict accountability on the part of the presidents and the faculty of each College and that there be some method of determining what has been done at each College and how well the College is performing and that there be a goal of reducing the amount of remediation over a long period of time. The May 1995 resolution did not have that language, of accountability or of a timetable. This might be the way to differentiate an alternate resolution from the one passed three years ago.

Chancellor Kimmich: That was the kind of thinking I was envisioning, especially connecting it with the anticipated improvement in the schools as they implement the Regents diploma by the year **2004** and so, maybe we can parallel what we are doing at the University with what the schools are doing.

President Kaplowitz: Tom Litwack is the person who co-signed the letters with me that we sent to you on behalf of the Senate. He is a member of the Forensic Psychology Department and has both his doctorate in psychology and a law degree.

Chancellor Kimmich: An excellent combination.

Professor Litwack: Before I get to my question, I would like to thank you for the extraordinary forcefulness and candor of your remarks which are really very extraordinary. If I may also say, and of course I can only speak for myself in this regard, you made me feel that the Chancellorship of the University is in very good hands. [The Senate applauded.]

Chancellor Kimmich: Thank you very much. It's moments like these with the faculty that really make a difference for me.

Professor Litwack: Certainly your remarks made a difference, a big difference, for me. My question is, in your opinion, what is the best thing we can do, as a faculty, and as a College, to convince the Trustees, or at least those Trustees who are convincable, to not adopt the drastic resolution that is coming before them.

Chancellor Kimmich: I can see why you are a lawyer and a psychologist. Clearly, you want to reach the middle: that is on everybody's unspoken agenda and I didn't mention it because it is a somewhat delicate issue because you need to identify people and identify the ones who are reachable. Without mentioning names, clearly the effort has to be that the Colleges, through their presidents, through their governance bodies, impress upon those who you believe do not have an a priori position on eliminating remediation, reaching them and persuading them that the impact of this will be so devastating that, even if they didn't care about our mission, the results for students, for access, for faculty, for the configuration of our institutions, for the quality of our institutions will be so devastated that they should not be historically accountable for having participated in a decision that led to that. That's putting it very broadly but I think you can probably spell out different ways in which you might speak to those or indirectly speak to those who are in the middle between those who are very much against this and those who seem to be committed to it. That is the group that is not beyond appealing to partly on a very practical level: what will happen to the University if this passes, what will happen to John Jay, to Baruch, to Queens? Matthew Goldstein says 30% will not be admitted: that means a 30% loss of revenue. When you ask your Office of Institutional Research, which you have probably already done, how many students would not be admitted if this passed, that is no one who has not passed all three placement tests would be admitted to a baccalaureate program -- they could still be admitted to an associate program -- then multiply that number by \$3400 and that equals the loss of revenue for John Jay. You can't afford that loss, the University can't afford that loss. That's not an unimpressive figure.

Professor Litwack: A followup question: is it your sense that the best thing we could do tactically would be to meet individually with those trustees, write to all the trustees, write to them individually?

Chancellor Kimmich: My sense is that you should write to them. They should not get the sense that nobody out there cares. They need to know that you care. They hear it from me every day but they don't hear it from a lot of people outside. The other thing I would suggest is if you know people to whom they are close, with whom they have close political contacts, with whom they are in business or other ventures, communicate with them. That is indirect by it can be quite an effective group.

President Kaplowitz: Professor Jerry Markowitz is an historian and the chair of the Thematic Studies Department, a wonderful interdisciplinary department.

Professor Markowitz: And I was also a senior at Earlham College when you were on the faculty there.

Chancellor Kimmich: I didn't expect a "This is Your Life," [Laughter.] Let me digress for a moment for a very funny, very bittersweet anecdote. I met recently with the editorial board of

The Daily News, which is not nearly as nice as meeting with the Faculty Senate of John Jay. If you read The Daily News, which I hope you don't, you know where they stand on CUNY. They wanted to meet with me and so I went and the editor of the editorial page is a man named Michael Goodwin. We talked about three hours. It was very intensive, almost a barrage, of questions on the line of, "Is there really any justification for this institution to exist today?" That was the tone of the meeting. I happened to run into him socially three days later and he said it was **very** interesting to have that discussion and I said that after the editorial published earlier that morning I didn't think it was very interesting -- he misquoted me and misrepresented me. He said for the three hours of the meeting he was trying to think what would this person have looked like 30 years ago: it turns out his was my student at Columbia in 1967. Had I known... I said I would look up his attendance record. [Laughter.] Anyway, thank you for reminding me of my past.

Professor Markowitz: I have an historian's question. For most of the post-war era, the business community, especially in New York City and in New York State, have supported higher education, including public higher education. There is a shift now and I wonder what you think is the reason and, secondly, how do we appeal to the business community to reawaken their sense of the importance of public higher education to the City and State.

Chancellor Kimmich: That's several dissertation topics. But I'll give you a brief response. I register the change in everything I see and do. When I went to college and then taught at Earlham College, the op-ed pages, such as they were in those days, were usually filled by people in university positions, public intellectuals. You open the paper now and find pieces by the latest rock star, by television anchors, by gurus of this and that. What has happened to public intellectuals? Just to register that fact is, to me, a sign of significance. Secondly, we have gone through the 80's in a new direction: hyper, market-oriented, privatization is the best course for everything. And this is a fall out of that. Everyone, even thoughtful people, speak with a template of "the private sector does it better," They say, "Look at the graduation rate of Yale and compare it with CUNY," and I say, "Look at the difference in price." Price is not really the issue but they understand that better than such realities as attending college part-time. I see the country as having moved away from the sense that government is there to serve public obligations and has the obligation to do so, even though we expect government to do an awful lot for us and we may not want to pay for it. That's what the tax and spend rhetoric is all about but when you start saying government is going to do less for you, everyone is there, even business. We all know that is where the contradiction arises: rhetorical issue on one side and the need for government's support on the other. But the rhetoric and the sense that we inherited from the 80's has put us in a position where government of any kind -- public education, public schools -- is seen as not being able to deliver the job.

Yesterday, the proposal came across my desk that the Governor put in the legislative stream for charter schools, which explicitly endows us with the power to open our own school system if we want to: if we wanted to go into competition with Chancellor Crew we could do so. It is an attempt to get away from the public school as we know it because of public dissatisfaction. How to reverse it? I do think there are still people who understand that what made this country and what makes this country work is, in

fact, its public school system on the one hand and, by extension, its public higher education system. If you think for a moment where we would be if we didn't have those . . . that is something that is not lost on people.

The wrong strategy, and sometimes we are guilty of this, is to say that we are great and we shouldn't be touched because we are doing all these wonderful things. We have to be more demonstrative, more practical in the kinds of issues we put forward to counter those who say, with a broad brush, that public education does not work: they look at the public schools and say this and then, by extension, say it about public higher education. It's not an easy fight. It will be fighting a wide, an almost historical kind of trend that has gained some momentum during the Reagan years and subsequently. I do not see any really strong spokespersons on the horizon, either in Washington or in the governor's houses across the country or in public higher education: we have not ourselves rallied to make that pitch. We, ourselves, could do better.

President Kaplowitz: Professor Kwando Kinshasa is a member of the Senate's executive committee and is a member of the Department of African-American Studies.

Professor Kwando Kinshasa: It's a pleasure, obviously, having you here. I'm very much concerned, as many others are, about the lack of response coming from the student body about these positions and the lack of response from the communities from which a significant number of students in the CUNY system come from. Do you have any sense of why there is what may be interpreted as a form of apathy? And, secondly, have you been invited by any of the local community news agencies to be interviewed either on television or on radio programs about these serious issues which affect such a large percentage of the community?

Chancellor Kimmich: To answer your second question first: I certainly have been asked to appear and to communicate with what would be considered the larger media: whether on television or the print media, including the Times, the News, and the Post. We have not gotten very far beyond that into local papers and that is a question that I have been raising: local papers are important, they talk to the community. Yet their issues tend to be bread and butter issues and we have to make clear that this is also a bread and butter issue for them, not so much for us but for them. Karen said earlier that I taught -- and I did until last spring -- at least once a year and the real reason for that was that in sitting in the Office of the Provost at Brooklyn College the only time I would see a student was if someone opened my door by mistake. I would never see students unless I reached out and I did so by teaching a freshman course every year. They may not have gotten the best amount of attention from me that they could expect but I wanted to see how they were first-hand; I didn't want to rely on hearsay. When faculty said, "Oh, you don't know what students are like these days," I wanted to be able to say, "Oh, yes, I do" and have at least one upmanship there. [Laughter.] But, very seriously, when alumni said to me, "What are students like today," I could tell them first-hand what they are like.

Speaking from that very, very limited perspective, and this is a question I should really ask you, I didn't have a sense that I had a very activist group sitting in front of me. They were interested in "getting through," they were interested, as we all know, in doing well, which translates into good grades, they

didn't have a sense that somehow the issues roiling the University were their issues. And we run into the problem, of course, of saying do we, in the classroom, want to take time which is really there for educating students in a specific subject in order to familiarize them with University issues. Sometimes University issues are very much the subject of a larger discussion about what happens politically, socially, economically, but you walk a thin line between informing people and being committed to the subject you have been asked to teach and that students signed up for.

In the larger vein, and this is just from the classroom level, I'm a bit puzzled about student governments. In my day, and this goes back to the dark ages, student governments were really very much involved in college issues. Nowadays, and John Jay may be an exception, Brooklyn has had internecine warfare about how to spend the little money student government has on different club activities and who said what to whom and what party should be putting up which candidates for the next committee meetings. These are not exactly earthshaking events but that has been the extent of the local political position except for some fringe groups which for one reason or another took up the cause. I do not know why we have what is essentially, to my mind, a more conservative body than we used to have. Certainly it is not the student body that I remember when I started teaching in the 60's or in the 70's but I've seen the change in the late 80's and I see it presently. What can we do about it?

There is certainly a student senate in this University [the University Student Senate] that is very interested in these issues but, again, it is a small group, it is a dedicated group, it is a divided group, but it is not a group that is unmindful of what is happening and they represent every institution that makes up CUNY. I'm sure some of them sit in your classes and have talked to you and are active on this campus as well. You have a student senate and they are the conduit to the University Student Senate and, beyond that, to the University at large.

But you are right: if all 200,000 spoke with one voice they would have to be listened to. But we don't have that and I don't think we ever had that, even in the most activist days in the 60's and my teaching career began at Columbia in 1967, and the very next year was certainly a time during which students spoke very loudly. But we see less of it than we ever did before and I would be glad to have your advice about what we could do either centrally or locally. Remember that if I thought I wasn't in touch with students as provost I'm even less in touch with students where I am sitting now. There are no faculty and no students where I am, which was always something that when I was sitting on the campus bothered me a lot and it still bothers me.

President Kaplowitz: When I returned from yesterday's CLAC meeting at 80th Street I attended a Better Teaching Seminar that the Faculty Senate organizes each semester for our students about how they can be successful applicants to law school. I told them what had happened the previous day at the Long Range Planning Committee and a few students volunteered to testify if needed. It was clear, however, that the students were not at all knowledgeable about what is happening at and to CUNY nor did any students offer to mobilize other students in support of CUNY.

Chancellor Kimmich: To do justice to the students, their stake in this institution is transitory whereas ours is permanent. So we shouldn't think of them as surrogates for us because they have a

stake of two, four, six, eight years and their lives are not our lives. We can not expect them to be as upset as we are. They may be victimized by this but they won't be nearly as victimized as this institution and as we, the faculty, are.

President Kaplowitz: Professor P.J. Gibson is a member of the English Department and is a playwright.

Senator P.J. Gibson: With reference to your fantasy of having an indelible mark on the foreheads identifying CUNY graduates and their families, you might want to consider, in the tradition of the AIDS ribbons, having CUNY pins for everyone who has attended CUNY or who has been connected to someone who attended CUNY. Another idea is to highlight CUNY in the newspapers by presenting success stories in the form of photo's and brief bio's so that people are constantly reminded of the successes of CUNY.

Chancellor Kimmich: I think those are wise ideas and the second one we have tried very hard to do because we know that papers like human interest stories. We drown the papers with such story ideas but how many times do you see them? You might see some in the pennysavers in northeast Brooklyn but you won't see them in the Times, nor in the Post. For them, this is not news. Good news is not considered news. But we won't let up.

Senator Gibson: Perhaps we can place ads in the subways and buses. There are public places in New York where we could present success stories, highlighting CUNY.

Chancellor Kimmich: That's very true. And these are stories that the Mayor should be proud of.

President Kaplowitz: Professor Ned Benton, whom you know, is the Chair of the Public Management Department and also chairs the College's faculty budget committee.

Professor Ned Benton: My question is a followup on your dialogue with Tom Litwack. Is it possible to translate the issue of the remediation resolution into its effect rather than the intention of its sponsors. Information about its effect is credible when it comes from VC Rothbard and when it comes from you, but is there a way that we can reinforce what you say about the devastating impact by having perhaps the UFS Budget Advisory Committee issue an impact statement. Perhaps some other group, a group that we could all agree on, could issue such a statement, one which would enable opponents of the resolution to say that if Trustees vote for the resolution they are voting for the following consequences.

Chancellor Kimmich: I think that's a wise approach. One of the things we have been pushing very hard at the Central Office is to see how we could translate this resolution into an impact document. I'd like to ask your advice. First of all, it's very hard to be precise about impact: the rough measure is to multiply all those admitted to the senior colleges who didn't pass all three tests in the Fall 1997 by \$3400 and that's the budgetary impact. That's a simple way. But a critic will say, "You could do much better in immersion programs, in pre-enrollment programs. A student could spend one semester at a community college and then transfer into a baccalaureate program. So you are just presenting a doomsday scenario which nobody believes." We are working on that but it will take time. So the first issue is the time-consuming effort of conducting the more complex analysis.

Secondly, we do not have time because the Board is meeting on May 26. I'm been looking into the possibility of our having a group, similar to the Mayor's [the Benno Schmidt taskforce], only better, saying what the impact will be. This would be a group of responsible labor, business, academic people, who are not CUNY stooges, as some are wont to say, who will say, "We stand behind these figures." Again, there is the matter of timing. I'd still like to have such a blue ribbon group, one which will address the future of CUNY in the 21st century. But I can't get together such a group and have a statement issued in time to influence the May 26 vote. The immediate thing I spend my days on is the next Board meeting.

The third issue is, given the time remaining, what are our resources -- intellectual, data, as well as governance -- that can make those pictures. Would you as John Jay, would Queens as Queens College, would Brooklyn as Brooklyn College be in a position to say, "We have read this very carefully, and this is what this would mean for us. Given our internal data, this would be the impact." The impact should be divided into three parts: the loss of revenue (students would simply not come into our baccalaureate programs); it would probably be a loss in State funding because State funding is based on the instructional cost model [ISM] and that would have an impact; and what would it cost for us to put on the table programs that, in fact, address those students who will need preparation and can't get it in the normal way: do we triple our summer program -- we now reach 28% of our students in summer immersion programs -- what would it cost to triple that? So those three items, on a campus by campus basis, would provide the rough parameters. You would then want to refine it by ways in which you think through your associate programs students could be admitted and, therefore, would be given a chance. You'd then have to refine it by saying you can provide better programs in summer or intersession. We can do it globally: at Central Office we have the data about students who did not pass all three tests. But campus by campus analyses could be very startling both internally and externally.

President Kaplowitz: Later today, after the Senate meeting, the University Faculty Senate's budget committee is meeting here at 4 PM --Vice Chancellor Rothbard and the committee are coming to John Jay to accommodate Ned and me because we're here for the Senate's all-day meeting -- and we could propose this to the budget committee and if the committee supported this the committee could ask each faculty governance leader to provide such an analysis.

Chancellor Kimmich: Please ask Richie [VC for Budget Richard Rothbard] at today's meeting if he thinks this can be done at both the local and global level and in what form, so that we are all on the same track. We need to be sure that we have the same figures otherwise we'll be challenged: "How come the University figures differ from the campus figures? This is the usual tapdance we get from the Chancellory." We hear that every day.

Professor Benton: We will coordinate through VC Rothbard.

Professor Litwack: Do you know if the trustees who are in favor of eliminating all remedial work at the senior colleges have given any thought to where all the students would have to go? I assume there simply is not room in the community colleges.

Chancellor Kimmich: The short answer is no.

Professor Litwack: They haven't given any thought to this?

Chancellor Kimmich: No. You ask the Mayor what will happen to all these people who aren't going to be able to get in? Are they going to swell your welfare rolls, your unemployment rolls? No one seems to be thinking ahead. You and I -- faculties try to anticipate consequences, which most of us try to do both in our private and in our professional lives, but that has not obviously taken place here and to the extent that it is ideologically motivated or politically motivated, it probably won't.

Professor Litwack: Even in the narrow sense of where they would go within the community colleges to get the remediation, even within that narrow sense, as far as you know have they thought about this?

Chancellor Kimmich: No. The only response I get when we raise the question of what is going to happen to students who are not admitted to baccalaureate programs is: What is wrong with a semester at a community college?"

Professor Litwack: And is there ever the statement that there isn't room at the community colleges?

Chancellor Kimmich: Yes, but there's never a response. Essentially the implication is that that's my job and I'm to figure it out.

President Kaplowitz: Professor Gavin Lewis is a member of the History Department.

Senator Gavin Lewis: If I hear you rightly, you are saying there is still a reasonable possibility that the remediation resolution will not pass.

Chancellor Kimmich: That is what I'm saying.

Senator Lewis: I would like to ask a two-part followup question which you may or may not wish to answer. In the event that it does not pass, what happens then? And in the event that it does pass, what happens then?

Chancellor Kimmich: This is really crystal ball. I suppose to get out of those two questions I would have to know what it is that does pass. My hope would be that we pass something that does three things. One, which is something I've become famous for, is power to the campuses, that is to say the autonomy issue so that colleges decide how best to deal with a system-wide policy that is established centrally: campuses know their campus best, I don't. You know what your students are like, what expectations you have of your students, what your programs are like. My position is that each campus should decide how to deal with this, within a policy framework that applies across the board.

Two, a sense that, in tandem with the school system, we gradually wind down whatever remediation we do -- and we don't do much remediation now. Let me say for the record: in the senior colleges, 4% of our budget is given to remedial instruction. That is not exactly "Remediation U" [The Daily News editorial page name for CUNY]. We could probably with some intelligent campus-based programming reduce that by 50%, assuming that the schools do their part. So we make a commitment to looking for improvements, the mantra year is 2004 when the Regents Diploma kicks in for the schools. Maybe over those six years we can develop a strategy

whereby we gradually drop down as the standards rise.

The third part of the resolution: we enjoin the colleges to come up with inventive programs, whether summer immersion programs, whether it is what exists in Florida, where community colleges assume or take on the role of dealing with remedial students on the senior college campuses. It's almost, using the corporate language, as if you subcontract to community college X to take on whatever remediation is necessary for your senior college. Of course, if you have an associate degree program, you don't need that. But let's take a case like Brooklyn College: theoretically Brooklyn College could be told to get together with Kingsborough, which is its closest community college, admit the students jointly, and KCC is given a suite of rooms on the Brooklyn College campus to teach the remedial students who then slide into the Brooklyn College curriculum. It seems to me there are approaches we haven't even considered yet. So the third part of a resolution would be to enjoin the campuses to be as inventive, as creative as they could be in dealing with the challenge of reducing remediation over time but never, frankly, never to get out of it. 60% of our students come from NYC high schools but the other 40% does not. They come from abroad, they come back to school, they come with GED's and they are, also, people we need to deal with.

I would like us to think about interventionist strategy: doing something earlier rather than later. I'm haunted by a statistic I hadn't realized existed until I became interim chancellor: of the students who fail all three exams, 40% are gone within their first year. Let's reach them earlier, let's not impose upon them the need to take 12 credits and then have them say in October that they can't do it. 40% is a haunting figure for me. I can't get away from that figure. If we could say to these people: take a summer program, it will cost you something but we'll contribute the other half, and you may then make it, you may be able to avoid slipping into that 40%. If I had my druthers those would be the components of a resolution that is passed.

Senator Edward Davenport: The NY Times article this morning mentioned a committee about which I hadn't been aware, the Committee for Public Higher Education, headed by Arthur Schlesinger. Is this the sort of group that might speak for us?

Chancellor Kimmich: It certainly is but as you noted, it is not a well-known group. It is not a household name. The origin, the genesis, of this group is a sense of dissatisfaction of having no one to speak for public universities and colleges. It tends to be made up, and I don't mean to characterize it in any way, of senior professors from reputable institutions, including CUNY, who take a slightly conservative bent on this issue but they want to speak up for higher education. But they are not well known: they do not have newsletters, radio spots, magazines or anything else. But it is the kind of group writ large that I would like to see speak up for us. I look for allies wherever I can. And we need them.

Senator Sandy Lanzone: Do you think the Mayor's taskforce [headed by Benno Schmidt] is created to end remediation at the community colleges as well?

Chancellor Kimmich: When you look at the composition of the taskforce you see a number of people who have either a professional or other stake in privatizing public education. If by extension you say they can not divorce themselves from their

day jobs, then clearly there is a mindset in this group that is probably sympathetic to that sort of thing. Secondly, looking at the composition of that body, I think the outcome is preprogrammed, quite frankly. That is to say, if the report has not been written already, If you are on a mayoral taskforce, and I know no more than what I read in the paper, you either produce a report that agrees with his views or you get abused. That's the choice, You do have a choice: which are you going to choose? Certainly, this group, which has no one from the University, which has no one who -- as far as we can tell, we do not know them all -- has a sense of what we think government's obligations are to the public. And so one wonders what they could come up with except the expected. I don't know how much longer my time [as chancellor] is, but given the time, I would like to put together a blue ribbon committee. Let us not underestimate the kind of power this mayor has in this City. There are close friends of CUNY who will say they will do anything for CUNY except go public.

President Kaplowitz: When we invited you, we really thought we were going to talk with you about John Jay's particular concerns within the University, but given what is happening we saw that the larger picture is the vitally important one to you and to us and so please do not think that we are not also concerned about John Jay's particular situation and needs. But what we have been discussing is the priority now for all of us.

Chancellor Kimmich: It is, indeed, also John Jay's particular situation that we have talked about for the last hour and a half or so, as you noted. Secondly, I am not unmindful both of the concern of this body and the concern of your president, about the issues John Jay represents budgetarily. My reference earlier to University inequities was, in fact, to indicate to you that I had thought about this and that I'm concerned about this. Before the Governor's veto, I had a much more optimistic view of what might be possible but that doesn't mean that I have given up on finding ways of addressing that issue.

I do think that my position is clearly not a local position. I do not think that there is one or other campus that I should somehow represent. I have to represent the University but I have to represent the University's concerns and the campus concerns and John Jay is very high on that list. Both the deputy chancellor and I -- who are both from Brooklyn College -- do not think that we are Brooklyn's representatives at the University's Central Office and you should know that. We both think of this as University concerns and what we have been entrusted with for the time we serve at the Central Office is the health and prosperity of individual colleges and to deal with those that need help most urgently, to deal with problems that arise to the surface most directly, and, of course, to deal with our universal problem, of which we talked for the last hour and a half. I feel very strongly about this. I want to thank you very much for inviting me.

President Kaplowitz: I'd like to express what a pleasure it is working with you. I have never witnessed you acting for other interests than the University's, I have never been aware that you are from Brooklyn College ever since you assumed the position as interim chancellor. It is really heartening to be able to say that what we have heard here today is what those of us who are privileged to work with Christoph and witness him have seen every single day since he assumed the position of interim chancellor.

Chancellor Kimmich: Karen, thank you very much.

[The Senate gave Chancellor Kimmich a standing ovation.]

8. Invited guest: President Gerald W. Lynch

President Lynch was welcomed and said he is very pleased and glad that the Senate invited Chancellor Kimmich, noting that Chancellor Kimmich is in a very difficult position because both the Mayor and Governor are attacking the University. He called Chancellor Kimmich a wonderful leader whose heart is in the right place in terms of access, who is not afraid to tell the truth, who is not afraid of any of the presidents, including the one he had reported to as provost, who feels no need to posture, and who supports our College and, at the same time does not interfere. He deserves our support. President Kaplowitz reported that the Senate had an excellent meeting with Chancellor Kimmich.

President Lynch spoke of this winter's wonderfully good news. He credited the number one rating given to the master's program in public management by US News & World Report with changing the climate at 80th street in terms of their opinion of us. He said despite all our achievements, we have always been seen as a new college, as not a Brooklyn, Hunter, City, or Queens, and that after receiving the number one rank they have had to take us really seriously at last. Then getting the \$352 million over the next five years was wonderful. President Kaplowitz congratulated this achievement. [The Senate applauded.] President Lynch said we have all worked together in developing the College's reputation and we finally have received our fair share of the capital budget. Now we must continue fighting for our fair share of the operating budget. He said he believes this Chancellor, for the first time in his memory, will attempt to do something to improve our operating budget. Chancellor Kimmich has said he feels he can not continue the efforts of his predecessors of taking money from one college to give to another: it pits everyone against each other. President Lynch said he thinks the Chancellor is, instead, prepared to take funding off the top of the budget to rectify those colleges that are in difficult straits, but not to take lines from one college to give to another. Also, we are recruiting 50 faculty and he praised the quality of the new hires.

President Lynch said we now have to think how we can best provide further leadership about criminal justice issues both here and internationally. The area of criminal justice policy, for which we received the top ranking, is an excellent place for us to focus our research, to have teams of faculty working on projects, as we did on the homicide rate. As a College we should choose issues that can be researched, analyzed, and presented for discussion as John Jay College policy issues.

The US News & World Report questionnaire went out to 243 deans and 190 faculty: he would like to ascertain how we were rated in each category of the survey and also how the other colleges, such as Harvard, were rated in each category. He would like to know which categories we were rated as strong and which as less strong so we can work on and put our resources in those areas in which we did not receive as good a rating. He said the last thing we want is to find on March 1, when the ratings are published again, that we have dropped down from number one.

President Lynch said he is very happy that FBI Director Louis Freeh has agreed to be our commencement speaker and that he thinks he will be an exciting speaker. He said we have been working very closely with the FBI in Budapest, with the International Law Enforcement Academy, and at Quantico, and in New York. Director Freeh and the FBI absolutely love us: they think our faculty is wonderful, they think what we have done in Budapest is the best, because we get the highest rating every single time (out of a possible rating of 5 we receive 4.7, 4.8, for the entire first week of the 8-week course).

Professor Tom Litwack said the College will be receiving a letter shortly: a few weeks ago a small group of John Jay faculty met with the director of the FBI's behavioral science unit at Quantico, and Tony Pinizzotto, a John Jay graduate, who is one of the top people at the unit, was there as well, and they expressed a lot of interest in collaborating with our College in many ways: doing research projects, making available data and subjects to our faculty that we would otherwise have difficulty getting access to; and collaborating on teaching exchanges, and having their people take our courses and our faculty teach courses to their people. They were very, very eager to collaborate actively. President Lynch said, in addition, he just received a letter saying the FBI would be honored to have a faculty member spend a sabbatical semester at their behavioral science division in Quantico.

President Lynch said this is particularly pleasing because, as many faculty know, in 1972 J. Edgar Hoover pulled all the FBI agents out of the College. A memo had been written by an FBI agent, Jack Shaw, giving a negative comment about the FBI. It was a minor comment but it got to J. Edgar Hoover's desk and he demanded that John Jay's president, Donald Riddle, President Lynch's predecessor, fire the agent's professor, Abe Blumberg. Of course, Don Riddle wouldn't do it and the New York Times supported Don and our College. So J. Edgar Hoover took all 36 FBI agents out of the College.

President Lynch said he later made an overture to Judge Webster, when he was the director of the FBI, and he was our commencement speaker [in 1986] and the College since has had an excellent relationship with the FBI. In fact, it was the FBI that invited John Jay to Budapest. President Lynch said he asked why John Jay was invited, in light of the FBI's 26-year relationship with the University of Virginia. The reply was that John Jay's strengths in criminal justice are far superior to the University of Virginia's and that John Jay's faculty have such excellent credentials and are so respected. President Lynch said in Budapest he asked for the real reason for the FBI's decision. The reply was that it really was what he had been told but there is one more reason: the FBI has to testify before Congress and they feel that if they can say that John Jay is included in the project, the College's academic strengths will positively affect Congress's attitude toward them. He said that he met Senator Orrin Hatch in Budapest and the Senator said he can not begin to convey the great satisfaction and the great sense of security the Senate has when John Jay is involved with the program in Budapest because the Senate feels it will not be a fly by night operation.

President Lynch noted that John Jay insisted that if it is to participate in the training it do so in the area of policing in a democratic society, because of the belief of those from John Jay who participated that it is necessary to look at the big picture and not just at details of law enforcement. John Jay has now been

asked to begin the training session in Central America; we've done three in Panama; and there will also be a session in Bangkok. The latter is not with the FBI but the Department of the Treasury, which has also been wonderfully supportive of John Jay.

President Lynch reported the CIA wants to have an opportunity to have one of its agents do his sabbatical here. The College has agreed. The person (whose name, for the moment, he did not recall) is openly from the CIA, has done a lot of good research, is very smart, very positive, and will be here for a semester. President Lynch told the person that he will have to be very open about being from the CIA, about the CIA's operations, and should expect some interesting dialogues with our faculty. President Lynch said he believes we can have an influence on the CIA.

President Lynch also reported that the NYPD's Alcohol Counseling Unit is moving to a police facility in Brooklyn. He explained that we offered space, for rent, in our newly rented space on 58 Street but the NYPD has opted to use one of its own facilities. John Jay has provided the counseling unit with rent-free space for the past 18 years but we need the space, which is on the first floor of North Hall, for the expansion of our bookstore as well as for student space and faculty offices.

President Lynch spoke about the need to end the police academy, which he explained is another position that does not endear him to the NYPD. Noting that policing is the last profession in America whose members are not educated in a university, he praised the Florida and Minnesota model, in which a person obtains a 2-year degree while attending a police academy connected with that college, and the academy issues a certificate. Then the graduate applies to be hired by a police department in the state, after having been trained on his or her own, which saves the municipality money. Then the department gives a 4-week training course on the specific policing needs of that department. If this were adopted here, he said, those interested in becoming police officers attend John Jay, or CUNY.

President Kaplowitz suggested that the Mayor's hostile attitude toward CUNY could mitigate against such a change and she said the Senate is concerned about the Mayor's actions and thus we welcomed the opportunity of meeting today with Chancellor Kimmich. She reported Chancellor Kimmich's comments about friends of CUNY who offer to do help but will not speak publicly in support of CUNY for fear of retribution. Perhaps, she said, people from the FBI would be willing to do so, given the wonderful opinion they have of John Jay. She said it would be helpful to the Chancellor if we could present him with names of people who have credibility and who would be willing to make public comments. President Lynch said that is a very good idea and suggested perhaps also a former police commissioner, as well, such as Ray Kelly, who knows CUNY.

President Kaplowitz asked about the College's commitment to advertise so we can attract academically better prepared students. President Lynch said an ad campaign has just been launched, with a John Jay ad just having appeared in the Wall Street Journal. Half-page ads will be in the New York Times, the Daily News, the Post, Crains, three papers in New Jersey, all the Gannett papers, such as Newsday. The ads use our number one ranking by the US News & World Report and are designed to both seek students and to promote the College. The \$72,000 being spent on the ad campaign is some of the money we earned from the branch campus in Puerto Rico.

[The Senate applauded news of the ads.]

During the remainder of the meeting, President Lynch briefed the Senate about John Jay's relationship with the NYPD.

The Senate thanked President Lynch for coming to today's Senate meeting and he, in turn, said he appreciated the opportunity of speaking with the Faculty Senate. [The Senate applauded President Lynch.)

9. Consideration of two additional candidates for honorary deerees: Prof. Daniel Gasman, Chair. Committee on Honorary Degrees

The Senate conducted an off the record discussion of additional candidates recommended by the Committee on Honorary Degrees. The Senate approved by secret ballot two additional candidates presented by the Committee on Honorary Degrees: FBI Director Louis Freeh and former U. S. Senator George Mitchell.

10. New business [Attachment B]

Professor Tom Litwack recommended, as a followup to the visit of Chancellor Kimmich, that President Kaplowitz organize a group to draft a letter to be individually sent to each member of the Board of Trustees urging each to vote in support of continued remedial course instruction at the senior colleges. He suggested that the Faculty Senate authorize the Senate's Executive Committee to send such letters on behalf of the Senate and the faculty. Senator Cochran said her information is that a number of Trustees have decided to put their own opinions aside and are not interested in anyone's opinion but the Governor's and Mayor's. President Kaplowitz noted that many Trustees have jobs directly dependent on the Mayor and one reason the Trustees are so vulnerable to political pressure is that there is no such thing as a secret ballot at the Board. Senator Gibson asked why there can not be secret ballots. The explanation is that because CUNY is a public agency the voting has to be done in public. But, she noted, not all the Trustees are in that situation. Professor Litwack said this is the one single thing Chancellor Kimmich recommended, upon being asked what we could or should do. He called that a compelling reason to write such a letter and said we should send a copy of the letter to him. The motion passed by unanimous vote. [For the text of the letter, see Attachment B.]

By a motion duly made and carried, the meeting was adjourned at 4 PM.

Respectfully submitted,

Edward Davenport

Amy Green

Recording Secretaries

Attachment A

Announcements from the chair

1998-98 student Council election results

President: McLawrence David

Vice President: Edgar Lopez

Secretary: Priti Bali

Treasurer: Jose Garabito

Graduate Representative [1 seat]: Mary Barrow.

Senior Representatives [4 seats]: Laura Piil, John McMaster, Renee Lindo, and Sherrice Rodgers.

Junior Representatives [4 seats]: Arthur Morrison, Leopold Altman, Frank Passotta.

Sophomore Representatives [4 seats]: Farrell Goldman, Tara Emro.

Freshman Representative [4 seats]: Ayinka Nicome, Shanira Taylor, Craig Trainor.

College Council At-Large Representative [1 seat]: Dominick LaBruzzi.

Judicial Committee [6 seats]: Mitchell Atilas, Raul Cordero.

Governor vetoes items added to CUNY budget by NYS Legislature

Governor Pataki vetoed the following items that had been included in the 1998-99 Senate/Assembly Budget Agreement:

Senior Colleges:

- New funding of **\$4.5** million for faculty positions. **VETOED.**
- New funding of **\$1.2** million for child care. **VETOED.**
- New funding of **\$2.9** million for SEEK. **VETOED.**
- New funding of **\$4.8** million for full-time student book-purchase aid (**\$65** per full-time student). **VETOED.**
- The City University Tuition Reimbursable Account (CUTRA), which permits revenue collections in excess of the University's revenue target to be used in subsequent year, is increased from **\$5** million to **\$10** million. **VETOED.**
- The CUNY Stabilization Account, which provides for the roll over of unexpended funds from the current fiscal year, is increased from **\$5** million to **\$10** million. **VETOED.**

Community Colleges:

- New funding of **\$8.5** million from an increase in State support of **\$150** per FTE (to a total of **\$2,050** per FTE). **VETOED.**
- New funding of **\$3** million for faculty positions. **VETOED.**
- New funding of **\$800,000** for child care. **VETOED.**
- New funding of **\$300,000** for College Discovery. **VETOED.**
- New funding of **\$1** million for contract courses. **VETOED.**

Financial Aid:

- Aid to Part-time Study (APTS) Program is increased by **\$5** million to **\$19.6** million. **VETOED.**

State Education Department:

- Bundy Aid is increased by **\$5** million, **11.3%**, to **\$49.3** million. **VETOED.**
- STEP/CSTEP is increased by **\$2.5** million to **\$10** million. **VETOED.**

SUNY Increases:

- Full-time faculty support: **\$8.8** million. **VETOED.**
- Child care: **\$2** million. **VETOED.**
- Community College Base Aid increase: **\$17.3** million. **VETOED.**
- Economic Development/Job Training: **\$5** million. **VETOED.**
- Small business development center: **\$750,000**. **VETOED.**

Mayor Giuliani appoints taskforce to study CUNY

On May 6, Mayor Giuliani established an advisory taskforce on CUNY to be chaired by Benno C. Schmidt, Jr., the former president of Yale and currently the chairman and ceo of The Edison Project, a private company whose purpose is to privatize public schools. The other taskforce members are Herman Badillo, vice chair of the CUNY Board of Trustees; Manfred Ohrenstein, a NYS Senator from 1961-1995; Jacqueline V. Brady, vice president in the Structure Finance Group of Nomura Securities International, Inc.; Heather McDonald, a fellow at the Manhattan Institute; Richard Schwartz, president and ceo of Opportunity America and a former advisor to Mayor Giuliani who helped design NYC's welfare reforms, welfare-to-work initiatives, and privatization efforts; Richard T. Roberts, commissioner of NYC's Department of Housing and Preservation and Development since 1997 and former assistant to Mayor Giuliani, overseeing the "reinventing" city government initiatives. The Mayor announced his plan to create such a taskforce in February.

At-large representatives to the 1998-99 Faculty Senate elected

Full-time faculty representatives:

Edward Davenport (SEEK/English)
Janice Dunham (Library)
P.J. Gibson (English)
Amy Green (Speech & Theater)
Lou Guinta (Communication Skills)
Karen Kaplowitz (English)
Kwando Kinshasa (African-American Studies)
Tom Litwack (Psychology)
Ellen Marson (Foreign Languages & Literature)
Jill Norgren (Government)
Patrick O'Hara (Public Management)
Daniel Pinello (Government)
Carmen Solis (SEEK)

Adjunct faculty representatives:

Holly Clark (Public Management)
Edward Green (Mathematics)

Faculty election results

At-large members on the 1998-99 College P&B Committee

Zelma Henriques, Tom Litwack, and Ellen Marson were elected
Committee on Student Evaluation of the Faculty: P.J. Gibson and
Daniel Pinello

Benator Ellen Marson to be honored at JJ's annual UJA Breakfast

On the morning of Friday, May 15, Senator Ellen Marson will be honored at the 20th annual John Jay UJA Breakfast. Each year, a member of the John Jay community is honored in addition to an honoree from outside the immediate John Jay community. This year NYPD Commissioner Howard Safir is being honored.

First meeting of the 1998-99 Faculty Senate

The first meeting of the new Faculty Senate is Thursday, May 21. In accordance with the Faculty Senate Constitution, the election of the Senate Executive Committee shall take place at this first meeting. The 6-member Executive Committee comprises: president, vice president, recording secretary, corresponding secretary, and two at-large members. Each position is for a one-year term.



ATTACHMENT B

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

May 14, 1998

Member, Board of Trustees
The City University of New York
535 East 80th Street
New York, NY 10021

Dear Trustee:

We are writing on behalf of the Faculty Senate of John Jay College of Criminal Justice to urge you to support the offering of appropriate remedial course instruction in the baccalaureate degree programs at those senior colleges of CUNY that decide that offering such courses best serves their educational mission. We urge you to support the right of colleges to make this determination, according to plans that would be developed and submitted by each college to the Chancellor for approval, for the following reasons:

1. Each CUNY college has a unique history, mission, and set of academic programs and priorities, and each college works to be fully responsive to the needs of its students, its prospective students, and the communities it serves. At recent meetings of this Board of Trustees, many Trustees have voiced support for the principle that individual CUNY colleges should have greater autonomy and accountability. Therefore, the possibility that a policy on remediation may be issued by the Board that would, in fact, dramatically decrease campus autonomy and significantly restrict the ability of each campus to fulfill its mission is one that we urge you to resist. The presidents and faculties of virtually every senior college believe and have asserted strongly that it is educationally right and proper for their colleges to admit students who need some remedial assistance. Moreover, to end remedial course instruction in CUNY baccalaureate programs would be counter to the policies and practices of most institutions of private and public higher education in the United States.

2. To forbid remedial course instruction within CUNY baccalaureate degree programs while remedial courses are offered within most, if not all, SUNY baccalaureate degree programs has profoundly negative implications given the racial, class, and ethnic characteristics of CUNY applicants compared to SUNY applicants. Even the appearance of denying maximal or equitable opportunities to economically disadvantaged students and/or members of racial and ethnic groups that have been historically disadvantaged would be damaging to CUNY, to CUNY's reputation, to the reputation of the Board of Trustees, and would be potentially divisive for our city and State.

ATTACHMENT B (cont)

Board of Trustees
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3. If remedial course instruction within CUNY were offered only in associate degree programs, which are funded to a significant extent by the City of New York, the City's fiscal contribution to CUNY would have to increase very substantially in order to adequately support vastly increased remedial instruction at the community colleges. Yet the Mayor of New York City has clearly articulated his opposition to remedial courses within CUNY at any level. Inevitably, therefore, if remedial instruction were disallowed within CUNY baccalaureate degree programs, it would only be a matter of time before severe -- and, for students, devastating -- limits were placed on remedial opportunities within the community colleges (ostensibly for lack of funding, if for no other reason). In short, ending remedial instruction within baccalaureate degree programs will inevitably lead to draconian cutbacks in remedial education throughout CUNY and to the cessation of CUNY's mission to provide all New Yorkers who have graduated from high school or who have an equivalent diploma with a reasonable opportunity to better their lives through higher education and, in turn, to better the society in which all of us live and work.

4. Additionally, if remedial education at CUNY were limited to colleges with associate degree programs, the community colleges would inevitably come to be seen as -- and may well become -- essentially remedial institutions rather than what they are and should be: institutions of higher education which, in addition to providing remedial courses for students who need them, provide students with knowledge and technical skills which are essential for the economy and for the public and private service sectors and industries of New York, as well as for the students' own professional prospects. If increased remedial instruction obligations of the community colleges were not adequately supported fiscally by the City, resources would inevitably be drained from the community colleges' degree programs. Thus, limiting remedial course instruction in CUNY to associate degree programs will harm the community colleges as well as the senior colleges.

5. Forbidding senior colleges to admit applicants into their baccalaureate degree programs unless an applicant has passed all three Freshman Skills Assessment Tests could have a devastating effect on the budgets of many if not most of the senior colleges, not only because there would be a substantial loss of tuition revenues but because there would undoubtedly be an additional loss of direct State funding in response to the likely decline in senior college enrollment. Indeed, it is not difficult to imagine a scenario in which virtually all of CUNY's senior colleges, which now play an immensely valuable role in the educational and intellectual life of the City, would become shadows of their former selves. And soon New York City as the city of opportunity would become a shadow of its former self.

We, as CUNY faculty members, certainly can and do support the principles that CUNY must embrace proper academic standards,

ATTACHMENT B (cont)

Board of Trustees
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that CUNY graduates should have appropriate skills, that fair and reasonable boundaries should be placed on remedial work at both the senior and community colleges, and that there should be meaningful measures of accountability. We note, also, that all CUNY senior colleges have adopted admissions criteria that should essentially ensure that only applicants who are readily capable of successfully engaging in college work will be admitted to CUNY baccalaureate degree programs. However, ending remedial course instruction within the baccalaureate degree programs of CUNY senior colleges will be the beginning of the end of CUNY as a great University and as a great institution dedicated to expanding the horizons -- and providing an opportunity for a better life -- for all New Yorkers who seek the benefits of a hisher education.

Thank you very much for your attention to the concerns we have expressed above. We rely upon you as a Trustee of this University to maintain the praiseworthy mission of CUNY as the great provider of opportunity for all New Yorkers, and to maintain the University's historic place in the life of New York City, New York State and, indeed, the nation.

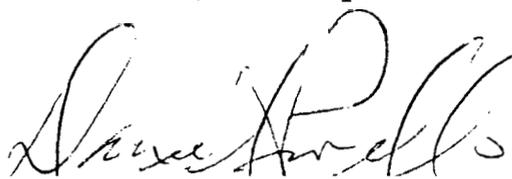
Sincerely,



(Prof.) Karen Kaplowitz, Ph.D.
President, Faculty Senate



(Prof.) Tom Litwack, Ph.D.
Chair, Senate Budget Committee



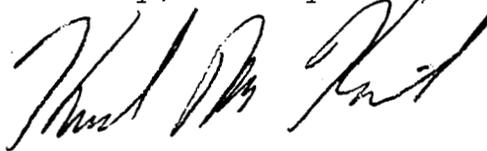
(Prof.) Daniel Pinello, Ph.D.
Vice Pres., Faculty Senate



(Prof.) Edward Davenport, Ph.D.
Secretary, Faculty Senate



(Prof.) Carmen Solis, M.S.W.
Member, Senate Executive Comm.



(Prof.) Kwando Kinshasa, Ph.D.
Member, Senate Executive Comm.

cc. Chancellor Kimmich
President Lynch