

Faculty Senate Minutes #195

John Jay College of Criminal Justice

February 24, 2000

3:15 PM

Room 630 T

Present (24): Shevaletta Alford, James Cauthen, Marsha Clowers, Edward Davenport, Janice ~~Dunham~~, Amy Green, Edward Green, Karen Kaplowitz, Andrew Karmen, Kwando ~~Kinshasa~~, Maria Kiriakova, ~~Sandra~~ Lanzone, ~~Susan~~ Larkin, Gavin Lewis, Tom Litwack, Arnie Macdonald, Emerson Miller, Patrick O'Hara, Rick Richardson, Lydia Segal, Carmen Solis, Katherine Stavrianopoulos, Marny Tabb, Agnes Wieschenberg

Absent (11): Erica Abeel, Jama Adams, Luis ~~Barrios~~, Anthony Carpi, ~~Kirk~~ Dombrowski, P. J. Gibson, Lou Guinta, ~~Stuart~~ Kirschner, James Malone, Jacqueline Polanco, Lydia Rosner

Guest: Professor Joan Hoffman

AGENDA

1. Announcements from the chair
2. Adoption of Minutes #194 of the February 9, 2000, meeting
3. First reading of a proposed amendment of the Faculty Senate Constitution
4. Proposal that the Faculty Senate co-sponsor the Spring 2000 Course **Fair** for John Jay students
5. Proposal to re-issue the Faculty Senate's Fall 1999 survey to faculty about JJ's B&N Bookstore

1. **Announcements from the chair** [Attachment A & B]

Informed by the **discussion** at our last Senate meeting, prior to the February 10th College Council meeting, changes to the title and to the course description of the proposed pistol shooting course were proposed at the College Council meeting by faculty who **had** participated in the Senate's discussion **and** those changes were approved by vote of the College Council. The course title was changed from "Pistol Shooting" to "Air Pistol Shooting" to more accurately reflect the nature of the course and also so that the listing in the schedule of classes would lessen a potentially negative reaction by those who do not see the course description in the College Bulletin. The course description was changed as well.

The new course description was changed to emphasize **the course's** focus on pistol **shooting and** to reduce its emphasis on the legal, historical, and political aspects of pistols, **given** that this course **is**

being offered by the Physical Education & Athletics Department; the term "pistol shooting" was changed to "air pistol **shooting**"; and the fact that the course involves **bullseye** target practice and does not involve the use of Live ammunition **was also** added.

The course description **as** originally proposed by the Department of Physical Education & Athletics **and as** approved by the Curriculum Committee had been: "**Pistol Shooting**. This course **is an** introduction to the historical, legal, and political issues associated with the pistol **as well as an** introduction to the basic **handling** of the pistol in order to develop the proper attitude for **using** a pistol safely and to develop **skills in shooting and** marksmanship."

The new course description, **as** proposed by various faculty, and **as** approved by the College Council on February 10, is: "**Air Pistol Shooting**. This course **is an** introduction to the basic **handling** of the **air** pistol (which uses pellets and not live ammunition), **in** order to develop the proper attitude for **using** a pistol safely and to develop **skills in shooting** at a **bullseye** target. This course is also **an** introduction to the historical, legal, and political issues associated with the pistol."

President Kaplowitz reported that the date of commencement is Wednesday, May, 31, not May 30, **as** had been previously announced, **and** the **Awards** Ceremony for students **is** Tuesday, May 30, at 4:30, in the Theater. She also reported that she is working with Security Director **Brian** Murphy to arrange suitable dates and times for faculty to get their new identification cards.

Written announcements were also provided [Attachment **A**].

2. Adoption of Minutes #194 of the February 9, 2000, meeting

By a motion made and carried, Minutes #194 of the February 9, 2000, meeting were adopted.

3. First reading of a proposed amendment of the Faculty Senate Constitution: Senator Rick Richardson

A motion was made by Senator Rick Richardson and seconded by Senator Edward Green to amend the Senate Constitution to increase the number of at-large adjunct representatives **from two** to four. The motion **is** to delete the word in the Senate Constitution that is within brackets and to add the word that is underlined:

Article II: Representation of the John Jay Faculty Senate: The John Jay College Faculty Senate shall be composed of those faculty members elected to the John Jay College Council, 13 full-time faculty members elected at large, and [two] four adjunct faculty members elected at **large**.

Senator Richardson explained that when the Senate was **formed** in 1986 and its **Constitution** adopted there were **far**, far fewer adjunct faculty teaching at John Jay than now **and far**, far fewer course sections were taught by adjuncts then. More than 50 percent of course sections at John Jay are now taught by adjunct faculty **and** there are **far** more adjuncts than full-time faculty and ,thus, **the** representation of two at-large adjunct representatives is no longer sufficient. He **said** that since adjunct

faculty can not be elected **as** their departmental representative to the Senate and College Council, the remedy is to amend the Senate Constitution to **permit** four at-large adjunct representatives, rather **than** the current two.

Senator Andrew **Karmen** spoke in support of the motion, **saying** that if adjunct faculty are willing to participate in the work of **the** Senate **at** no monetary compensation then we should encourage **them** to do **so**. He noted that the role and representation of adjunct faculty is a large factor **in** the current **PSC** election debates, with the New Caucus making adjunct inclusion and representation **an** important part of its platform, to its credit. He said we, too, should expand adjunct inclusion and representation.

Senator Kwando Kinshasa said he supports Senator **Karmen's** points but questioned the reasons for the wish for expanded representation, beyond the increased number of adjuncts at **John Jay**. He asked whether there are issues that adjunct faculty wish to have addressed that haven't been addressed and if that is, indeed, the case, he asked why that should be since **all** members of the faculty may submit agenda items and attend Senate meetings and participate in discussions, **including** adjunct faculty. He also asked why only one person **among** all the adjuncts has signed **up** to serve on the Senate's Adjunct Issues Committee. Senator Richardson agreed that re-establishing a viable committee, such **as** did exist a number of years ago, is a worthy goal but it is not the proposal that he has submitted for today's agenda.

Senator Edward Davenport said amending the Constitution **is** a serious action and called it a mistake to amend the Constitution **in** response to a situation which exists only because of John Jay's **underfunding** which results **in** such heavy reliance **on** adjunct faculty. CUNY's official policy and goal **is** that adjuncts should teach no more than 30 percent of course sections. However, the State's unwillingness to adequately fund public higher education has forced CUNY to rely on adjuncts instead of **full-time** faculty, thus exploiting adjuncts at the same time that the students and **the** University are injured. The situation we have is a bad one but it is not a compelling reason to amend the Constitution, he said.

Senator Tom Litwack said he supports the proposed amendment because adjunct faculty do play **a** very important role at this College and their representation on the Senate should more accurately reflect their role at John Jay. He said he sees no reason why we should not vote positively on this issue today. Senator Kinshasa said that to agree with something philosophically is not the same **as** acting on it and he would like more time to consider this issue before voting on it.

Senator Pat O'Hara asked whether it is true that adjuncts are no longer permitted to vote in departmental elections. President Kaplowitz explained **that** John Jay's Charter of Governance was amended several years ago whereby those adjuncts who have taught for **four** consecutive semesters may vote for **only** those positions which they themselves may hold. She explained that when the Charter **was** first adopted in the late 1960s, there were only a very few adjuncts and the Charter permitted those adjuncts who have taught four consecutive semesters to have a half vote in departmental elections. But **as** the number of adjuncts increased, several departments found themselves **in** the position of having more than twice the number of adjuncts than full-time faculty and, thus, adjuncts could determine the outcome of the election of department chair, who **is** the sole person who hires and reappoints adjuncts. Thus a chair could control all elections **through** the hiring of adjunct faculty. A member of one of the departments that had more than twice the number of adjuncts than full-time faculty submitted a proposal to the College Council to amend the Charter and that amendment was passed by the College Council and, thus, adjuncts may not vote for the department chair or for the members of the department P&B committee or for the College Council **and** Faculty Senate representative because adjuncts **are** not permitted to hold those positions.

Senator Richardson urged the Senate to vote affirmatively, saying he thinks it is important for the Senate to say that adjuncts are valued colleagues and are invited to participate, and a positive vote on this amendment would make that statement. Senator Kinshasa said he had been an adjunct for a long time and is very familiar with most of the complaints adjuncts have and he wants some assurances that this motion would lead to addressing those complaints.

President Kaplowitz said that it is wonderful that the Faculty Senate is valued by its adjunct representatives and that they want more of their colleagues to serve with them on the Senate but she is concerned that there may be an insufficient number of adjunct candidates for the seats if the number of seats were doubled: she said that she is concerned that if this were to happen it could redound to the discredit of adjunct faculty were the number of seats doubled but then not filled. Senator Litwack said that we could add language to the Constitution to address what action, if any, should be taken if fewer than four adjuncts were to run for the four seats. President Kaplowitz said she would recommend we not do so, because there is no language in the Constitution addressing what, if anything, should be done if fewer than 13 full-time faculty were to run for the 13 full-time faculty at-large seats, adding that such a situation has never arisen. Senator Litwack agreed with her reasoning.

Senator Richardson said that he believes more adjuncts will run when there are more seats for adjunct faculty to aspire to. Senator Kinshasa asked Senator Richardson whether adjunct faculty had requested that he propose this amendment or whether he had done so out of a personal view that this change should be made. Senator Richardson said he had done so for both reasons.

Senator Gavin Lewis said he recognizes the force of the objections to the motion which have thus far been raised, but he believes that the request by the adjunct representatives is rather modest and said it would be rather indecent for the Senate to oppose it. He called the amendment a gamble that we should take and that we should then monitor the situation to see whether it works: the Constitution could always be amended again if this change should prove to be a mistake.

Senator Richardson called the question and Senator Edward Green seconded it. The motion to call the question failed. Senator Susan Larkin noted that the Senate Constitution requires a two-thirds affirmative vote at two consecutive Senate meetings and since a positive vote now would simply permit the Senators to think about the proposal and discuss it further at the next meeting and vote again at the time to either pass or defeat the proposal, she urged that the Senators vote affirmatively now.

Senator Kinshasa said he is troubled by the absence of a specific list of adjunct concerns. Senator Richardson asked whether we ask what concerns each constituency has when a group wants representation within a community. Senator Kinshasa said therein lies the problem: Senator Richardson is interested in quantitative representation, whereas he is concerned with qualitative issues.

Since the call for nominations and self-nominations for two adjunct and 13 full-time at-large representatives has already been issued, the question was raised as to the implementation of this amendment should it pass. Furthermore, Senate at-large elections must be completed prior to the Senate's last meeting in April because the number of seats at-large Senators are elected to on the College Council must be determined prior to May 1, so that the departments can be informed by May 1 as to whether they are being allocated one or two department seats on the Senate and College Council: there is, thus, a tight timeline.

The Senate agreed that the date of the implementation of this amendment of the Constitution, should the amendment receive the requisite two-thirds affirmative vote at both readings and, thus, pass, must comport with all other provisions of the Faculty Senate Constitution and, conditional on that, shall be implemented as soon as is practicable. Senator Richardson called the question and the motion passed

without opposition. Senator Davenport called for a secret ballot. President Kaplowitz explained that a call for a secret ballot call is not debatable and can not be voted on: the request must be complied with.

The secret ballot vote was 18 yes, 1 no, and 2 abstentions and, thus, the motion passed as a first reading by the requisite two-thirds affirmative vote of those Senators present and voting.

Senator Richardson said that he is gratified by the vote and expressed his hope that it would be sustained at the second reading and vote at the next Senate meeting.

4. Proposal that the Faculty Senate co-sponsor the Spring 2000 Course Fair for John Jay students

Last year the Faculty Senate and the Council of Chairs co-sponsored a Course Fair and this year Vice President for Student Development Roger Witherspoon has decided to organize the Course Fair and has invited the Senate and the Council of Chairs to be co-sponsors. A motion to co-sponsor the event was approved by unanimous vote.

5. Proposal to re-issue the Faculty Senate's Fall 1999 survey to faculty about John Jay's Barnes & Noble Bookstore to ascertain faculty experiences during the Spring 2000 semester

Thus far, faculty have reported very positive experiences during the Spring semester in terms of John Jay's B&N Bookstore. The survey to faculty during the Fall 1999 semester provided much important information to the management of B&N and faculty expressed their gratitude that the Faculty Senate had provided them with the opportunity to share their complaints and praise, although the complaints far outweighed and were far more frequent than praise. President Kaplowitz suggested we once again survey the faculty, using the same instrument we used last semester, to ascertain faculty experiences in a more organized way than simply through anecdote: she said that in this way we will learn if the problems were all redressed and, if they were, we will be able to issue a counterbalancing report to and about the B&N campus bookstore. A motion to do so passed by unanimous vote. The results of the survey will be reported to the Senate.

By a motion duly made and seconded, the meeting was adjourned at 4:50 PM.

Respectfully submitted,

Edward Davenport
Recording Secretary

&

Amy Green
Vice President

ATTACHMENT A

Joint Meeting: Fiscal Affairs Committee and Committee on Academic Policy, Program, and Research: January 31, 2000.

Provided by UFS Faculty Representative to the Fiscal Affairs Committee: Karen Kaplowitz

Present: Trustees Ronald Marino (**Chair**, Fiscal), Nilda Soto Ruiz (Chair, **CAPPR**), Satish Babbar, Alfred **Curtis**, Kathleen Pesile, Jeffrey Wiesenfeld; CAPPR faculty Member Cecelia McCall, Fiscal faculty member Karen Kaplowitz, CAPPR student member Noah Burg, Fiscal student member **Alvaro** Castellanos.

Chancellor Goldstein said he is somewhat optimistic about the Governor's budget proposal for CUNY because it represents a change, a **turn**, from recent executive budgets. But, he added, it is ironic that there has been unprecedented wealth produced in the last years and yet that wealth and **liquidity** has not been funneled to the institutions of public higher education in New York State during the past 10 to 15 years. He said we **have** a tremendous amount of backfilling to do, especially because during **the** last 15 years CUNY has lost 20 percent of its **full-time** faculty.

The Chancellor said that **the** manner by which CUNY acquires **and** allocates resources is very complex **and** in order to reform those processes we must first learn how the processes work. He explained that the **operating** budget on the senior college side is partially regulated by a presumed model but **the** other part is not modeled. He also spoke of the need to move to **an** all-funds revenue system and **our** need to be aware that some campuses were established relatively late and that due diligence had not been done at the time to determine the critical **funding mass** that is required for a college to perform . critical tasks at the **minimal** level. Furthermore, he **said**, we must not only **rationalize** the budget process by identify other **funding** sources.

Trustee Curtis asked to what the Chancellor attributes that 20 percent decline in **full-time** faculty over **the** past 15 years. Chancellor Goldstein said that it is because CUNY's budget has not been kept current to the needs of the University even despite **impressive** enrollment growth. When Trustee Curtis asked if the 20 percent decline is spread evenly across **CUNY**, the Chancellor replied that it is not **uniform** but that **all** campuses have experienced sharp declines in **full-time** faculty.

Vice Chancellor Brabham explained that **CUNY** is required by law to report all expenditures on **an** all-funds basis but **has** never worked with **an** all-funds revenue budget approach, one of the reforms **being** proposed. She outlined her four goals for reform:

1. Reform CUNY's budget allocation processes

At CUNY's senior colleges, base budgets are built on each college's budget of the previous year rather than **on** budgetary need. The regulated portion of the senior college budgets is the Instructional Staff Model (ISM), which is a snapshot of enrollment and of the courses students are enrolled in at each college: but this is **an old** model, disciplines, teaching methods, and students have changed. The **ISM** only indicates the amount of money a college needs for adjuncts and does not **determine** the number of **full-time** faculty a senior college needs or is allocated each year.

Also there is the issue of equity of CUNY's allocation process: everyone is unhappy with the allocation process, she said. There are concerns about **how** the process itself takes place in addition to concern about the outcomes of that process. We must also ensure the best use of limited resources.

Joint Fiscal & CAPP. January 31,2000 (cont)

2. Tuition and other revenue

We must reform the way we address colleges that experience enrollment growth and those that experience enrollment declines. Price elasticity [differential **tuition**] **is a** desired reform, especially at the master's level.

3. Performance measures

VC Brabham urged a continuation of the discussion begun a year ago about performance measures, **noting** that the Schmidt Report urges budgetary rewarding of performance.

4. Develop an all-funds budgeting process

Trustee Weisenfeld questioned whether the goals **include** dealing with situations such as Medgar Evers which has a structural problem and suggested working politically on **this**, perhaps in advance of the trustees' upcoming trip to Albany.

Prof. Kaplowitz suggested that issues of equity be addressed before **instituting** performance measures **since** colleges are not operating on a level playing field. Chancellor Goldstein said these reforms cannot be implemented in a linear way but must be done all at the same time. He agreed that there is not a level playing field but said there are **performance** measures that could be applied to all colleges in a fair way because they are independent of funding levels. He agreed that it would be **unfair** to introduce performance measures that are tied to funding (if there **is** the **will** to introduce them). He added that it **is** also **unfair** to expect the same revenue **increases** (such **as** from private gifts, etc.) **from** the younger colleges.

President Caputo (Hunter) said that **as** a political scientist who worked on budgets for **20** years, he **knows** that budgets are political documents and that if there are any changes those changes will be really minimal and marginal. Trustee Marino agreed, saying for **this** reason we have to phase in the reforms over a period of three, four, or five years. President Springer (CSI) said there **is** very little flexibility in the system, **noting** that 80 percent of funds are for salaries. Acting President Lirtzman (Baruch) urged that the budget process be made transparent and he noted there is now **no** incentive for **any** college to save money because the college is then told to use that money when it **has** budgetary needs. Chancellor Goldstein said he is making a commitment that any money a college raises will not be used to diminish a college's budget allocation. VC Brabham explained that revenue targets are set to help colleges whose enrollments have declined, **acknowledging** that it does seem **unfair** to do **this** since a college whose enrollment has grown is given a new target enrollment to **grow** even further but that is done to help colleges whose enrollments have declined.

Trustee Marino proposed taking up each of the four reform goals **seriatim** at each of the next monthly Fiscal Committees, starting with the allocation process first, with the overall goal of having proposals by June for Fiscal to vote on. Chancellor Goldstein said he is **committed** to consulting with the University Faculty Senate's Budget Advisory Committee, with the Council of Presidents, and with **the** Vice Presidents for Fiscal **Affairs**. Trustee Marino proposed inviting some members from each of those groups to meet with the Fiscal Committee later on in the process.

ATTACHMENT B

Allocation of FY2000 Faculty Hiring Funds

Senior Colleges	
Baruch	159,243
Brooklyn	146,110
City	140,857
Hunter	217,968
John Jay	138,350
Lehman	114,605
Medgar Evers	78,116
NYCTC	152,459
	176,290
	134,953
York	74,770
Total Senior	1,533,721

Community Colleges	
BMCC	228,897
Bronx	99,324
Hostos	57,557
KCC	171,930
LaGuardia	
QCC	129,893
Total Community	850,000

Allocation reflects distribution of funds in accordance with percent of colleges' filled positions and percent of positions in relation to goal of 70/30 full to part-time faculty ratios.

Source: CUNY Central Administration