

## **Faculty Senate Minutes #223**

### **John Jay College of Criminal Justice**

**February 7, 2002**

**3:15 PM**

**Room 630 T**

**Present (31):** Luis Barrios, Marvie Brooks, Orlanda Brugnola, Leslie Chandrakantha, Edward Davenport, Jane Davenport, Kirk Dombrowski, Betsy Gitter, Maki Haberfeld, Robert Hair, Ann Huse, Maqsood Kadir, Karen Kaplowitz, Sandra Lanzone, Gavin Lewis, Tom Litwack, James Malone, Peter Mameli, Evan Mandery, Lorraine Moller, Jill Norgren, Dagoberto Orrantia, Rick Richardson, Jodie Roure, Ellen Sexton, Carmen Solis, Davidson Umeh, Margaret Wallace, Agnes Wieschenberg, Susan Will, Daniel Yalisove

**Absent (8):** James Cauthen, Amy Green, Edward Green, Kwando Kinshasa, Mary Ann McClure, Daniel Paget, Robin Whitney, Liza Yukins

#### **Agenda of the February 7, 2002 meeting**

1. Announcements from the chair
2. Adoption of Minutes #222 of the December 7, 2001, meeting
3. Motion to declare ~~an~~ at-large representative position vacant
4. Senate determination about the method to fill a vacant Senate seat
5. Election of a Faculty Senator to fill a vacant seat on the Comprehensive Planning Committee
6. Selection of members of the Faculty Senate Awards Committee
7. Report on the John Jay and CUNY budget situation
8. Discussion of the Senate's role in conveying faculty priorities for College budget expenditures
9. A proposal that the John Jay budget be placed on the John Jay homepage

#### **1. Announcements from the chair [Attachment A]**

Professor Daniel Yalisove was welcomed **as** the new representative of the Psychology Department, replacing Professor Elsie Chandler who resigned from the position. Senator Yalisove was welcomed back to the Senate, having served on the Senate in the past.

The status of John Jay's Phase II project was discussed at the CUNY Board of Trustees Committee on Facilities on February 4 [see Attachment A – Part 3].

John Jay will have three vacant University Faculty Senate (UFS) delegate seats for representatives of the full-time faculty in May and two alternate delegate seats. The delegates who

will continue to represent the John Jay faculty are Professors Haig Bohigian and Karen Kaplowitz, representing full-time faculty, and Professor Rick Richardson, representing adjunct faculty. To nominate a colleague or to self-nominate, faculty should call or email Karen Kaplowitz, the liaison between John Jay's delegation and the UFS.

In the interim since our last Senate meeting, at which this issue had been raised, the \$100,000 for the John Jay Library that was part of the proposal for the \$750,000 lease revenues, should 80\* Street grant John Jay's request for 50% of the lease revenues, has been transferred to the Library. Senator Jane Davenport was thanked for raising this issue at the last Senate meeting.

**2. Adoption of Minutes #222 of the December 7, 2001, meeting**

By a motion made and carried, Minutes #222 of the December 7 meeting were approved.

**3. Motion to declare an at-law representative position vacant**

Professor P.J. Gibson is on sabbatical leave during the Spring 2002 semester and has written to the Senate Executive Committee resigning from her at-large Faculty Senate seat effective January 2002. A motion to declare the seat vacant was approved, as required by the Senate Constitution.

**4. Senate determination about the method to fill a vacant Senate seat**

The Senate voted to elect the next highest recipient of votes in the previous at-large election (and should that person decline to accept the position, to elect the person who received the next highest number of votes). The motion was passed by unanimous vote. Professor Marvie Brooks, the next highest vote recipient, was telephoned, accepted election, and was invited to attend the Senate meeting, which she did. She was applauded upon her arrival.

**5. Election of a Senator to fill a vacant seat on the Comprehensive Planning Committee**

The Senate has five representatives on the College's Comprehensive Planning Committee: one of those representatives this year was Professor P.J. Gibson, who is on sabbatical this semester. Only Senators may be elected to represent the Senate on the CPC. Senator Evan Mandery was nominated and elected by unanimous vote.

**6. Selection of members of the Faculty Senate Awards Committee**

The Faculty Senate Awards Committee recommends to the Senate the two (2) recipients of the Faculty Senate Award for Outstanding CUNY BA graduating seniors, one in the humanities and

one in the social sciences. These awards are presented at the College's Awards Ceremony in May.

The Senate elected to the Committee the following Senate members: Betsy Gitter, Ann Huse, James Malone, Rick Richardson, and Daniel Yalisove.

7. **Report on the John Jay and the CUNY budget situation** [Attachment B, C]

President Kaplowitz, Senator Tom Litwack, and Professors Ned Benton and Harold Sullivan met this afternoon with Vice President Robert Pignatello and Budget Director Angela Martin about John Jay's budget situation. There is much good news to report, including the fact that the College administration is asking to be informed about the faculty's priorities regarding the College's expenditures.

President Kaplowitz reported that Vice President Pignatello and Budget Director Martin met with CUNY's Budget Director, Ernesto Malave, a few weeks ago to review John Jay's budget situation [Attachment B]. Director Malave said that as far as he is concerned, although this is conditional on the approval of Vice Chancellor Sherry Brabham, next year John Jay can again have 50% of the lease revenues from the property on the land that is designated for Phase II, which is approximately \$750,000, just as the College was allocated half of the lease revenues this year. So that is \$750,000 that we were not expecting to have next year. Also, John Jay has \$2.19 million in tuition revenue overcollection; this is the revenue collected by a college in excess of the tuition revenue target set for a college by 80<sup>th</sup> Street and this excess money is money the college may keep. In other words, by enrolling more students than 80<sup>th</sup> Street required us to enroll this year, we are able to keep the revenue generated by those additional students' tuition, which this year is \$2.19 million.

Therefore, at the end of this academic year, we will not only have repaid our financial indebtedness to 80<sup>th</sup> Street (caused by the College's spending more than its budget allocation a few years ago) and also brought our expenditures to within our budget allocation, but our hiring freeze has also been lifted. For the past year and a half, because of our budget situation, if a person left, for any reason, we were not permitted to hire anyone to replace that person although we were permitted to reassign staff to do critically needed administrative jobs. We are now permitted to hire people on substitute lines in both administrative and faculty positions if a position becomes vacant.

In addition, the College will be hiring 40 new full-time faculty for Fall 2002, half of whom will be on tenure track lines: those searches are being conducted now. The other 20 full-time faculty will be on substitute lines and the searches for those 20 positions will be conducted during the next academic year and so another 20 tenure track full-time faculty will be hired for Fall 2003. Thus, a year from September we should have 40 new tenure track faculty.

Additional good news is that although CUNY will be charging the campuses for the fringe benefits for all new hires, 80<sup>th</sup> Street will treat the 40 faculty we are hiring not as new hires but as replacements because that is what they really are because of the hiring freeze we have had to endure for two years and, therefore, John Jay will not be charged the fringe benefits of those 40 new full-time faculty, which is \$775,000. Mr. Malave was reported as saying that John Jay is in excellent fiscal shape. During the past two years, we lost 46 administrative people; in other words, we have 46 fewer people in full-time non-faculty positions as a result of attrition. Thus, we saved the University \$776,000 in fringe benefits for those 46 people, an important point that VP Pignatello has

made, and that is the other reason we are being held harmless with regard to the fringe benefits for the 40 new full-time faculty we are hiring. And Mr. Malave told Vice President Pignatello and Director Martin that if a State hiring freeze takes place, John Jay would be exempted from such a freeze because we have managed to do so much with so little and continue to do so much with so little and thus would still be permitted to hire these 40 faculty.

Given the additional monies the College will have, Vice President Pignatello asked the faculty leaders at the meeting to ascertain what the faculty think the College's spending priorities should be. President Kaplowitz said she is, thus, raising this at today's meeting.

Senator Jodie Roure asked about news reports of an additional student fee that will be imposed on CUNY students. President Kaplowitz explained that three days earlier, on February 4, the Fiscal Affairs Committee of the CUNY Board of Trustees voted to recommend to the full Board of Trustees a series of initiatives to increase revenues and also to increase efficiencies in order to have more money for the education of students and for the hiring of full-time faculty [see Attachment C]. One proposal is that a Technology Fee be imposed on all undergraduate and graduate students: the fee would begin with the Fall 2002 semester and would be \$75 per semester for full-time students and \$37.50 per semester for part-time students. Students attending summer school beginning in summer of 2003 would also be assessed a Technology Fee of \$37.50. The purpose of this fee is to enhance student access to computer technology and it may not be used for administrative computing. Thus the monies generated by the fee could be used for hardware and software for students and, possibly, for faculty; for staffing the computer labs; for electronic resources and staff for the library; for hiring people to teach students to use computer technology. The Chancellor's argument in support of this fee is that CUNY students should graduate at least as computer savvy and as technologically skilled as the students who graduate from private colleges.

The amount that would be raised by this fee CUNY-wide is at least \$22.5 million. At John Jay, this Technology Fee will generate \$1.4 million during FY2003, based on our enrollment projections. In subsequent years, the amount would be even greater, even if enrollment were to not increase, because of the additional summer school fee that would be charged. This fee is in addition to the Student Activity Fee, the amount of which is determined by the students at each campus. Each college is required to develop a plan for the expenditure of this fee, which will be due at 80<sup>th</sup> Street this spring. The Technology Fee is not covered by the State's Tuition Assistance Program (TAP) because it is not a tuition increase; the federal Pell grant may be used to pay the fee but that means there would be less of a Pell grant for the student to use for other college-related expenses. Because of faculty concern about this fee increase, although the good aspect about it is that it is earmarked for something that most if not all CUNY colleges can not afford to properly fund, the Board of Trustees resolution includes a provision for a fee waiver in cases of financial hardship and it will be determined at each campus how that waiver process will take place. And so for John Jay, there will be an additional \$1.4 million in our budget next year.

Senator Roure asked whether the new Technology Fee is related to the new CUNY policy of ending the last semester tuition-free policy. President Kaplowitz said that the Board's decision to end the policy is related in that both are in response to the extreme underfunding of CUNY and to the severe budget situation facing both the City and the State, especially in the aftermath of September 11. She explained that in 1992, when annual tuition was increased by \$750 dollars by the BoT, the Board also created a policy whereby students who start their higher education at any CUNY campus (with no transfer credits and so none of our in-service students have been eligible for this program) and who graduate from any CUNY campus will receive a waiver of the student's last semester's

tuition. This policy now costs *CUNY* between \$9 million and \$11 million a year. Because the policy is being phased out over a two-year period, *CUNY* will save \$2 million this year and will save approximately \$9 million annually, beginning the year after next, and these monies are designated for hiring full-time faculty [see Attachment C].

The Governor's FY2003 Executive Budget proposes a budget for *CUNY* that is the same as the "barebones" budget the Legislature passed. Furthermore, the budget request that ~~the~~ *CUNY* Board sent to Albany said that through various methods *CUNY* would self-fund \$45 million: That \$45 million includes the \$22.5 million from the Technology Fee, \$10 million from various administrative efficiencies, as well as from fund raising and the phasing out of the last semester free tuition policy.

Among the revenue enhancing initiatives is a proposal that colleges increase summer school offerings and begin offering credit-bearing courses during January intersession. The incentive for colleges is that if a college exceeds its revenue targets by 5% this year and by 10% the following years through increased summer school revenues and/or intersession courses it may keep those additional monies. This is potentially even more revenue for colleges because even full-time faculty who teach during summer school and/or during intersession are paid according to the adjunct rate of pay. At John Jay, for example, we spent approximately \$400,000 on faculty salaries (at the adjunct pay scale) and we brought in \$1 million in tuition revenue from summer school students, thus netting \$600,000.

#### **8. Discussion: The Senate's role in conveying faculty priorities for JJ budget expenditures**

Senator Yalisove asked whether the Senate will be the primary body to convey faculty wishes about College expenditures. President Kaplowitz said that V.P. Pignatello's opinion is that every appropriate committee at the College should consider this issue. Senator Betsy Gitter said she is concerned that polling every committee is as good as polling no one and Senator Yalisove agreed. Both said that the faculty should speak with one voice. President Kaplowitz noted that the Senate is the official voice of the John Jay faculty. She suggested we have a preliminary discussion today and that we then consult with our departments for a further discussion at the Senate. Senator Jill Norgren suggested that after consulting with their departments, Senators should email Karen with ideas and supporting data, when possible, in preparation for our next Senate discussion on this topic.

President Kaplowitz noted that in preparation for today's budget meeting with VP Pignatello and Director Martin, she had asked Senator Jane Davenport to provide a report for her on the Library's budgetary needs and that Senator Jane Davenport and Professor Bonnie Nelson prepared an analysis. She asked Senator Jane Davenport to report on this analysis.

Senator Jane Davenport explained that Professor Bonnie Nelson had conducted the analysis by comparing John Jay's library expenditures to those of other *CUNY* libraries. John Jay's total collection expenditures in 1999-2000 was \$412,000 (the figures for 2000-2001 are not yet available). What Professor Nelson found in doing her comparative analysis is that during that same year, 1999-2000, the mean expenditure on library collections at *CUNY* was \$77 per FTE student (a 4.7% increase over the previous year) whereas John Jay's expenditure was \$51 per FTE student (a 19.% decrease over the previous year). Professor Nelson then multiplied \$77 by John Jay's current (Fall 2001) number of FTEs, which equals \$657,580, and then, arbitrarily, decided on an inflation factor of 10% for rising costs of library materials over the past two years resulting in a final figure of \$723,338. According to Professor Nelson's memorandum, this is a perfectly justifiable budget just

to bring John Jay up to the mean current expenditure at CUNY and John Jay could certainly add \$100,000 or \$200,000 for catchup since John Jay has not had adequate funds to support our collections during the past years.

Then Professor Nelson compared John Jay to several other CUNY colleges: whereas John Jay had a \$51 per FTE student expenditure for library materials, Brooklyn spent \$95, Hunter spent \$87, and Lehman spent \$98 per FTE student. Professor Nelson is willing to also compare John Jay's Library expenditures to those of college libraries throughout the country, if we wish, which would show us to be even more extremely underfunded than when we are compared to CUNY. Furthermore, these figures do not include the cost of hourly staff, which is part of our general Library budget. The Library also has to pay for part-time workers and we are always short in this area. Aside from the additional \$100,000 from the lease revenues which the Library just received, John Jay's total annual budget for collections and hourly staff is approximately \$500,000. In 1999-2000, the mean FTE student to (total) staff ratio at CUNY was 172 to 1 whereas at John Jay it was 287 to 1. At the budget meeting earlier that day, Director Angela Martin had said that she really appreciates having received this analysis which is invaluable in making budget allocation decisions.

Senator Susan Will said that she believes that when one compares the percentage of a college's budget that is allocated to its library, John Jay's percentage is the lowest of all the CUNY senior colleges. She suggested that we have such data in preparation for our next meeting when we discuss budget expenditure priorities.

Senator Jill Norgren spoke about an approach that she and Karen and others have spoken about whereby faculty who have taught a certain number of students over a certain number of years could teach an elective of their choosing with no minimum enrollment required: no matter how few students might enroll, the course would not be cancelled. Such initiatives are needed to keep the faculty excited and to keep them from being demoralized.

Senator Norgren suggested that the Library should have a formal budget, saying that as a member of the Library Committee she was dismayed at the bad news that had been reported just two months ago. She asked whether it is possible for the Library to bank money, that is, to put aside money in a good year to be spent in a lean year. She called this critically important because some years we are not able to purchase books and then when we do have money those books are often no longer available for purchase because they were published in a very small run. Senator Jane Davenport said that it is not legal to do this.

Senator Tom Litwack said he wishes to comment on Senator Norgren's idea but first wishes to say that he does not want to distract from the good news, because the news is good, at least at first blush, in that we won't have to repay CUNY \$1.5 million next year as we had to do this year; we have roughly \$2.2 million in overcollection; and we will have \$750,000 in lease revenue next year, which means that the total amount of money we will have next year that we didn't have this year is **\$4.5 million**, a not inconsiderable amount of money. But, on the other hand, about \$1.3 million of that will be spent on hiring the full-time faculty and so the \$1.5 million we do not have to repay CUNY this year will almost all be spent on hiring full-time faculty. In addition, together with the good news there is some potentially troublesome longer term bad news, not just for John Jay but for CUNY: as Professor Ken Shemll, a political scientist at Hunter, said at the UFS Conference the other day on "CUNY After September 11," even though the Governor's budget for CUNY is relatively good this year given the fiscal situation – after all, this is an election year – it is very possible that in subsequent years, given the need to spend for homeland security and given the more

dismal fiscal picture, the State budget for CUNY might be much less in future years **and** we would suffer our share of the reduction. He said that Karen can report better than he that the Chancellor is working to raise money from the private sector or from other government sources, other **than** the State and City Legislatures, in order to improve CUNY's fiscal situation. He said we have no way of knowing what the CUNY fiscal picture will be in future years. And so, Senator Litwack said, he feels that of the \$3 million we are talking about, a good portion of that has to be saved, **has** to be put into a reserve fund.

With regard to Senator Norgren's question about the Library budget, Senator Litwack noted that whereas tax levy monies can not be saved from one year to the next, as Senator **Jane** Davenport explained, non-tax levy monies **can** be saved from one year to the next. So if we decided that a certain amount of money should go to the Library now, we could also put aside non-tax levy monies for the Library for the future, so in that way what Senator Norgren is suggesting is possible. He added that of course if the situation were to become truly dire, that money set aside for the Library might have to be used for something else. But at least non-tax levy monies should be set aside for the Library with the hope that it could be used by the Library to supplement its tax-levy budget.

Senator Litwack added that the expenditure priorities that Karen is rightly suggesting the Senate think about and propose should not, in his opinion, be limited to academic expenditures: there are many needs in student services and many offices in the College have been devastated by the budget cuts. He said we should certainly fight for the academic needs but there are other needs as well. But, he added, no one should think that we have \$3 million to spend next year on hiring faculty and on the Library because we should be saving some of it, in his opinion \$1 million of it, and some of the remainder of that money has to go to other functions at the College.

President Kaplowitz said that this is the first time that the faculty has been asked for its views on expenditure priorities **before** an expenditure plan has been put together. In the past, if we saw **an** expenditure plan, it was in the form of a copy of what had already been sent to 80<sup>th</sup> Street or we saw it the day before it was sent, which was too late to comment and affect changes. Certainly we won't get everything we ask for but if we don't ask for things, those things won't be on the radar screen.

Senator Litwack said he wants to reinforce what Karen is saying because the Chancellor is watching John Jay to make sure our College is spending its money wisely and that had never been the case previously and, for that reason, the administration has to listen to us. That does not mean they have to give us everything we want but, as Karen said, for the first time the planning will seriously include what we, the faculty, ask for.

President Kaplowitz added that Senator Litwack's remarks about the Chancellor's fundraising plans are, indeed, true. The Chancellor has had the Board of Trustees, for the first time, commit to a fundraising campaign, and BoT Vice Chair Benno Schmidt has agreed to chair the campaign (as long, as he has said, as the Chancellor does all the work). And the Chancellor has also told the college presidents they must engage in serious and productive college fundraising.

Senator Kirk Dombrowski said that following on Senator Norgren's comments about process and Senator Betsy Gitter's and others' comments about the Comprehensive Planning Committee (CPC), it would seem obvious that the expenditure plan should be directly addressed by the CPC. In other words, after the Senate makes its recommendations, the CPC would seem to be the appropriate body to discuss and vet proposals. He added that one of the byproducts of the fiscal crisis of the past two years is that the administration **has** turned to the faculty for assistance and has had to listen

to the faculty. He said he wishes that the budget transparency that was necessary because of the budget crisis might dissipate as the budget situation improves. He said there is an ongoing need for much more transparency in the budget process. We can be asked for wish lists, he noted, but we should be participating in the decision-making process in which expenditure decisions are made. He said that he especially worries about the difficulty of keeping track of non-tax levy monies because such monies do not leave clear tracks. He said that the better the College does in handling its budget in the eyes of the Chancellor, the less leverage the faculty may have for entering into that process.

Senator Tom Litwack said that Senator Dombrowski's points are very well taken and should be kept in mind. He explained, however, that shortly after the budget crisis began, the faculty leadership asked for and has been getting regular reports about the spending of soft money accounts: this was something we insisted on receiving and that process is continuing. He said we will make sure that we continue to receive regular reports about how this money is being saved or spent so that we keep track of it and to make sure it is not being spent in ways other than we know about and, hopefully, have agreed to.

As for the process, there is already an agreement that he, Karen, Ned Benton, and Harold Sullivan will meet regularly with Vice President Pignatello and with Provost Wilson during the next couple of weeks and thereafter to develop a plan. President Kaplowitz said the transparency issue that Senator Dombrowski rightly talks about is addressed in part by agenda item #9.

Secretary Edward Davenport said that space at the College has long been one of our most pressing needs and until recently we had been told that Phase II would be the answer to our space problems. Recently, however, it has begun to look like Phase II might not even be realized. He suggested that before our next meeting we ascertain how likely it is that we will get a space solution via Phase II, and if it is not really likely, he suggested we then discuss what else we can do.

Senator Norgren said that she agrees with Senators Gitter and Yalisove and suggested that we have an initial discussion today about the issues that Senators think are faculty priorities and that each Senator then consult with department colleagues and bring those spending proposals to the Senate by emailing them to Karen Kaplowitz.

Senator Dagoberto Orrantia said that his department, Foreign Languages and Literature, lacks a sufficient duplicating budget and, as a consequence, faculty are paying for photocopying of classroom materials out of their own pockets. President Kaplowitz said VP Pignatello and Provost Wilson have both promised that all faculty duplicating needs will be provided by the College.

Senator Carmen Solis raised the issue of rodents in North Hall which she described as a situation that has become out of control. Senator Marvie Brooks said the problem of rodents also exists in T Building, including in the Library. Senator Jodie Roue added that rodents and roaches are a problem in the restroom facilities and in the classrooms as well as in faculty offices.

One small but important budget item on her list, President Kaplowitz said, is something she mentioned at the budget meeting earlier today: whereas the ADA/504 Officer has a budget to provide reasonable accommodations to students with documented disabilities, that person has no budget to provide reasonable accommodations to faculty and staff with documented disabilities. So if a faculty or staff member requests an accommodation which there is a legal mandate to meet, aside from the ethical or moral or common sense reasons to grant such requests, the ADA/504 Officer has zero dollars and has to convince others to pay for those accommodations, often to no avail, because



each tends to say that those expenditures should come from “someone else’s budget.” She said that she had not realized that was the explanation for months of waiting for accommodations, often leading to increased disability, increased suffering, and successful grievances.

These and additional spending priorities were raised in a preliminary discussion:

- ▶ Additional English 101 and English 102 sections: these courses are College prereqs
- ▶ Funding for the Library
- ▶ Reduction in class size
- ▶ Released time for faculty who are working toward tenure
- ▶ Funding for faculty and staff ADA/504 accommodations
- ▶ Additional staff and extended hours for the Writing Center
- ▶ Expanded evening services for students enrolled in evening courses
- ▶ Increased duplication and supply budgets for academic departments
- ▶ Provisions for faculty to teach electives, even if the course is undersubscribed, after having taught a certain number of students through a formula to be developed
- ▶ Additional substitute faculty (beyond the planned number)
- ▶ Quality of life, health, and safety issues, including rodent and roach eradication

The Senate agreed that after consulting with colleagues, Senators should send spending proposals by email to Karen Kaplowitz and that faculty should invite their department colleagues to provide not only suggestions but also data to support the importance of the proposed expenditures. Then the Senate can discuss the proposals at subsequent Senate meetings.

**9. A proposal that the John Jav budget be placed on the JJ homepage**

President Kaplowitz reported that both Baruch College and City College provide detailed information about their college’s revenues and expenditures on their college’s website. The City College budget document appears on pp. 73-80 of a large City College OIR report: The URL is [http://www.ccny.cuny.edu/ir/cf\\_01.pdf](http://www.ccny.cuny.edu/ir/cf_01.pdf) The Baruch College budget is extremely accessible: one clicks on to “About Baruch” at the Baruch home page at [www.baruch.cuny.edu](http://www.baruch.cuny.edu). The URL for the budget document itself is <http://www.baruch.cuny.edu/president/budgetbudget200102.htm> She noted that CUNY Budget Director Ernesto Malave regularly praises Baruch and City for this practice and he suggests that other colleges emulate those two colleges. Senator Litwack suggested we study those websites before considering this proposal.

The proposal was tabled until the next meeting. The Senate agreed to view the websites of both Baruch and *CCNY* to see the budget information provided on those college’s websites in preparation of discussing this proposal. Senator Litwack said that the Senate could bring such a proposal to the College Council for its vote and if approved it would be College policy.

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

Respectfully submitted,

Senator Edward Davenport  
Recording Secretary



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

*The City University of New York*  
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January 19, 2002

**Mr. Ernesto Malave**  
University Budget Director  
The City University of New York  
535 East 80 Street  
New York, NY 10021

Dear **Mr. Malave**,

Thank you very much for having met, at our invitation, with the John Jay Faculty Senate on December 7. As when you met with us in the past, as our invited guest, the meeting was both collegial and thought-provoking and, of course, very informative. Your generosity of time and extraordinary skill at providing explanations, answering questions, and responding to comments about a wide range of budget issues and processes were much appreciated.

As you know, John Jay's Faculty Senate has long been very concerned about and engaged in budget issues. We know as, of course, you do, the invaluable role that information and data play in enabling us to communicate in a meaningful way about fiscal matters with the administrations of John Jay and CUNY and with our faculty colleagues. Your willingness to provide and explain that information and data engenders continued appreciation and regard among our Senate members and, indeed, among the entire John Jay faculty, whom we represent.

Thank you, also, for the assistance and support you have provided John Jay in the past and which we trust we can look forward to in the future.

**Our** applause at the conclusion of our meeting with you was heartfelt, indeed, but I wanted to also formally convey to you, on behalf of our Faculty Senate, our sincere gratitude and respect for the time and attention you paid to our concerns.

Very truly yours,

Karen Kaplowitz  
President, Faculty Senate

cc. Chancellor Goldstein  
Senior Vice Chancellor Dobrin  
Vice Chancellor Brabham



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

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January 18, 2002

Dr. Matthew Goldstein  
Chancellor  
The City University of New York  
535 East 80 Street  
New York **NY** 10021

Dear Chancellor Goldstein,

Even if belatedly, we are writing to thank you most sincerely and, on behalf of the John Jay Faculty Senate, for keeping the commitment you made to us, during your meeting with our Senate in May 2000, to develop an objective allocation model for funding the senior colleges of *CUNY*.

We realize that a final model has not yet been developed much less adopted. Moreover, we do have important questions about the most recent iteration of the draft model and related budgetary issues, which we plan to communicate to you via a separate letter in the next few weeks.

We are confident, however, that CUNY, under your leadership, is well on the way to adopting a rational allocation model for the senior colleges and for this you have our most heartfelt gratitude and respect.

Very truly yours,

Karen Kaplowitz  
President, Faculty Senate

Tom Litwack  
Chair, Faculty Senate Fiscal Advisory Committee

## ATTACHMENT A – Part 3

### **EXCERPT FROM REPORT:**

### **BoT Committee on Facilities, Planning, and Management – Meeting of February 4, 2002**

Report provided by Karen Kaplowitz, Faculty Representative to the Facilities Committee

Committee Members Present: Trustees Randy Mastro (Chair), Wellington Chen; Faculty Representative Karen Kaplowitz

Also Present: Trustee Bernard Sohmer, Trustee John Morning; Presidents C. Fernandez, Kimmich; Chancellor Matthew Goldstein, Senior Vice Chancellor Allan Dobrin, Vice Chancellor Emma Macari, Vice Chancellor Frederick Schaffer.

A. Approval of the minutes of the October 4, 2001, meeting.

B. Policy Calendar:

1. Resolution authorizing a consultant contract with Thanhauser & Esterson Architects to extend the Library Cafe at Brooklyn College. This contract, not to exceed \$147,368, is to design a new 2,000 gross square feet addition to the Library Café so as to provide about 30 additional workstations and study areas for this 24 hour/7 day a week facility. The Café currently serves approximately 800 to 900 students daily and the extension will serve an additional 400 students each day.
2. Resolution to accept the design of the renovation of the School of Architecture at City College, as prepared by Rafael Vinoly Architects. The construction budget is \$28,480,000.

Report from Vice Chancellor Emma Macari:

The Proposed FY2003 Borough President/City Council Capital Outlay Requests is for \$36 million. CUNY usually receives between \$11m to \$14m each year. Last year, CUNY received \$19 m. Proposals for capital project requests for both FY2003/04 as well as for the next 5-year Capital Improvement Budget Request for FY2003/2004 through 2008/2009 are to be received from each college by April 19, 2002, and will be reviewed during the spring and summer, during which time VC Macari and her staff will meet with each college. Vice Chancellor Macari's January 25, 2002, call for proposals letter to the college presidents was copied to, among others, the UFS, as VC Macari promised, and contains the statement that "Participation in your campus's plan by the College community should be a component of this process." [A fuller report about the process as outlined in the call letter will be provided in a separate posting.]

In response to Trustee Randy Mastro's request for an update about the John Jay Phase II project, for which a contract with the architectural firm of Skidmore Owings & Merrill (SOM) was approved by the CUNY Board of Trustees in November 2000, it was reported that the contract with SOM has still not been signed by the Dormitory Authority of New York (DASNY) because of issues on the **part** of the Governor about public/private use of the planned facility. VC Macari explained that the regular process is that after the CUNY Board approves the architectural firm, which it did more than a year ago, the contract is signed, and then consultants are hired to analyze and advise about any such concerns. Trustee Mastro requested the Board's General Counsel, Frederick Schaffer, to draft a letter to DASNY, copied to the Governor, to serve as a follow-up to the letter sent a few months ago, and Trustee Mastro offered to be the signatory if that were determined to be the most effective approach. He spoke of his experience in government as informing his concern about the potential consequences of such a lengthy delay in the resolution of this matter.

Submitted by

Karen Kaplowitz/Faculty Member, BoT Committee on Facilities, Planning and Management

**Achievement of the 2001/02 Financial Plan  
(submitted August 31, 2001)  
as of the Second Quarter 12/31/01**

**University Budget Office Charts**

**Table I:**

How much the College planned to spend in each of the major object areas of the College (academic affairs, academic support, student services, institutional support services, **SEEK**, and IFR by the major funding categories of Personal Service Regular (full time), Adjuncts, Temporary Services (College Assistants and those earning 60% of the adjunct rate for administrative tasks), Summer Session, and **OTPS**. Shown in 000, the numbers show we have actually spent 49.12% of the tax levy money, 50.18% of the **IFR** money for a combined 49.16% total.

**Table II:**

How much the College planned to spend in each of the major funding categories by month for the tax-levy account shows that we have spent an average of 49.12% across all categories — 49% in full time teaching, 50% in other full timers, 43% in adjuncts, 48% in College Assistants/60% Adjuncts, 100% in Summer, and only 44% of the **OTPS** has been paid to date.

**Table IIIa:**

How much the College planned to spend in each of the major funding categories by month for the **IFR** account shows that we have spent an average of 50% across all categories — 52% of full time, 53% of Continuing Education Teachers, 57% of College Assistants, and 22% of the **OTPS** categories has been paid to date.

**Table IIIb:**

How much the College projected to receive and spend by the various IFR programs shows that from July through December, we deposited 55% of the expected monies into the IFR account in Albany. Since all IFR programs are non-credit generating, they are all coded as IFR "Extension and Public Service" in FAS and State reports. Receipts and expenditures are grouped and not separated for this report. The total of IFR expenditures appears on **TABLE IIIa**.

**Table IV:**


How much the College projected to spend on adjuncts. Note that the August table did not include projected costs of the Police Program nor of classes opened to accommodate an increasing enrollment which was still in the process of registration. Adjunct expenses presented in Table IV are through 12/31/01 which does not include the last paycheck of the Fall Semester occurring in the Third Quarter.

**Table V:**

Where the College expected to get the \$1.591M needed to close the spending gap. The update shows how much of the University's money has been received to date and notes that checks have not yet been written from the Auxiliary Corporation nor from the Research Foundation to offset our tax levy shortage.

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This is the first page of a 13-page document transmitted by John Jay to CUNY's Budget Office in mid-January. It was prepared by VP Pignatello and JJ Budget Director Angela Martin. The complete document was provided to the Faculty Senate and Council of Chairs on January 14.

  
JAN 11, 2002

**EXCERPT:**

**CUNY Board of Trustees Committee on Fiscal Affairs: Meeting of February 4, 2002 – p. 1/5**

Report provided by Karen Kaplowitz, Faculty Representative, Committee on Fiscal Affairs

Committee Members present: Trustees Joseph Lhota (Chair), Nilda Soto Ruiz (Vice Chair), Alfred Curtis, John Morning, Faculty Representative Karen Kaplowitz, Alternate Student Representative Valerie Vasquez.

Also present: Trustee Bernard Sohmer; Presidents C. Fernandez, Holzer, Horowitz, Springer; Chancellor Matthew Goldstein, Executive Vice Chancellor Louise Mirrer, Senior Vice Chancellor Allan Dobrin, Vice Chancellor Sherry Brabham, Vice Chancellor Frederick Schaffer, Vice Chancellor Jay Hershenson, Vice Chancellor Otis Hill.

Action Items:

1A. Approval of Minutes of January 7, 2002. Approved.

1B. Proposals to enhance administrative efficiencies, generate cost savings, and provide additional revenue in support of the University's core academic mission.

RESOLVED, That the Board of Trustees adopt the proposals outlined below to enhance administrative efficiencies, generate cost savings, and provide additional revenue in support of the University's core academic mission and the New York State-approved Master Plan; and be it further

RESOLVED, That the Board of Trustees supports the Chancellor's efforts to review **and** implement, where feasible, initiatives to reduce administrative costs and improve operations:

Including:

- Integrating, where appropriate, college administrative services;
- Streamlining central office administrative operations;
- Analyze telecommunications costs and bills to recoup overpayments, develop a University-wide standard and contract for cell phone usage, and establish more cost-effective local and long distant carrier options, including VOIP (Voice Over Internet Protocol);
- Implement a CUNY-wide protocol for mail services, reducing the use of "snail mail" in favor of e-mail and mandating, where appropriate, "ZIP+ 4" and bar coding;
- Develop a new University-wide energy management program that decentralizes the energy budgets directly to the colleges and invests in new technologies to reduce costs;
- Develop a new *CUNY* portal to allow for: web-based registration, web-based application completion, academic advising, publications of catalogs and bulletins, and other areas, as identified;
- Streamline existing University-wide procurement practices and contracts and implement new University-wide contracts in areas such as advertising, travel, information systems, etc. that will generate campus-based cost savings; and
- Develop University-wide and college-based agreements with providers for building and operating all-weather athletic facilities, for the placement of kiosks to provide public service

**Board of Trustees Committee on Fiscal Affairs: Meeting of February 4, 2002 (cont) – p. 2/5**

announcements and advertising on campuses, and for external sponsorship of CUNY-TV and the CUNY web-site.

Cost savings and revenue production from these and other actions are estimated to total \$10 million; and be it further

RESOLVED, That the Board of Trustees establish a technology fee of \$75 per semester for full-time students and \$37.50 per semester for part-time students, effective Fall 2002. Revenue from this fee will be retained by the colleges to improve computer services for their students and faculty. In exceptional cases of financial hardship, colleges may waive the technology fee for individual students. Estimated new revenue will be \$22.5 million; and be it further

RESOLVED, That the Board of Trustees eliminate the Last Semester Free program established in 1992 for undergraduates receiving a Bachelors' Degree. However, the program will continue to be available to students who commenced their studies at CUNY on or after September 1, 1997 and who graduate no later than January, 2004. Estimated savings will be \$2 million in Fiscal Year 2003 and \$9 million in Fiscal Year 2004; and be it further

RESOLVED, That the colleges increase enrollment in winter inter-session/summer session in order to increase revenues by 5% in 2002 and by 10% in 2003. Colleges will retain additional revenue generated by this increase and will ensure that these dollars are re-deployed to strengthen academic programs. Estimated new revenue will be \$1.6 million in 2003 and \$3.2 million in 2004.

EXPLANATION: In CUNY's Operating Budget Request for FY 2003, the University committed to generate funds to support a portion of the Request through administrative productivity measures and targeted revenue enhancements. This resolution proposes a series of actions to meet this goal.

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This Resolution was presented as implementation, in part, of the Board of Trustees FY2003 Budget Request to Albany which the Board approved in November and which requested \$53 million in new money from the State and City and assumed \$45 million in self-funding by CUNY through administrative efficiencies and revenue enhancements, including fundraising. The Governor's Executive Budget, released on January 22, not only provides no new money to CUNY, much less the \$45 million requested, but is a straightline budget, that is, it is the same budget as CUNY received for this year after the NYS Legislature reduced the Governor's Executive Budget last year and passed a barebones budget. The Resolution was also presented in the context of the CUNY Master Plan which would require \$150 million in new money to implement. The purpose of the following proposals is to generate revenue in order to hire full-time faculty and to provide students with critically needed academic and student support services.

The Fiscal Committee voted, upon a motion by the Student Representative, to separate the proposals for a technology fee and a phase-out of the last semester free tuition. The first 8 initiatives, proposals to reduce administrative costs, as well as the proposal to increase revenues from summer school and intersession courses, were approved unanimously – and will be commented upon below.

The Resolution included three proposals for revenue enhancements, one of which is to raise revenues by increasing summer school and intersession revenues by 5% this year and 10% the

## Board of Trustees Committee on Fiscal Affairs: Meeting of February 4, 2002 (cont) - p. 3/5

following year. This proposal is that such increases in revenues will be retained by a campus even if the campus does not meet its overall revenue target. In other words, currently if a college exceeds its annual enrollment revenue target (which includes summer school revenue), the college keeps the revenue that is in excess of its **annual** revenue target. This Resolution provides that a college that is able to increase its summer school and intersession revenues by the mandated goals may keep those additional revenues without consideration as to whether the college exceeds or fails to exceed its annual revenue target. The reference to intersession is not to Basic Skills, which are not credit-bearing courses and which do not generate revenue, but rather is an incentive to colleges to create and offer intersession credit-bearing courses. This proposal passed unanimously.

The proposal to impose a technology fee was described in the document that was appended to the Resolution **as** follows:

“Technology Fee. From both **an** academic and a student service perspective, the colleges must improve academic computing resources on the campuses. Students need more computer laboratory workstations, better technical support from staff, longer hours of access, and **higher** speed conductivity. Faculty need the hardware, software, and support to incorporate technology into lesson plans, class discussion, and research assignments. A technology fee is proposed to generate revenue for the colleges to address these needs.

“Technology fees are used widely across colleges and universities to address the constantly changing and growing need for computer access at colleges and universities. CUNY proposes a fee of \$75 per semester for full-time students and \$37.50 for part-time students, which will be on the lower end of the range of similar fees at SUNY (see attached table).

“Colleges will have the authority to waive the technology fee in ‘exceptional cases due to financial hardship. Appropriate review and documentation of the decision to waive the fee must be provided.

“The Technology fee will generate \$22.5 million dollars at the colleges. Administered through the IFR [Income Fund Reimbursable account] at the senior college colleges and through Ledger 3 at the community colleges. (See attached table for projected revenue by college). Colleges will be required to submit both a plan and a final report of expenditures of fee revenues. Revenues can be spent for software, hardware, and to hire technical support staff to expand access for students.”

Please note: These fees are for all undergraduate and graduate students. Also, a \$37.50 technology fee will be charged to students who attend summer school. A plan **from** each college will be due toward the end of the current semester and will be shared with the faculty and student members of the Fiscal Committee as well as with the leadership of the University Student Senate and of the University Faculty Senate, as requested by the Faculty Representative. Campus plans that are not deemed acceptable by 80” Street will have to be revised by the campus. The money generated by the technology fee is to be in addition to monies currently spent by the colleges on technology and is not to be a substitute for that money. The purpose is to enhance student access to computer technology and to enhance the use of educational technology. The annual plan and annual report will be reviewed by the UFS to help ensure that the purpose of the fee is adhered to, The revenues generated by the fee are not to be used for administrative computing. The UFS Budget Advisory Committee and the UFS Executive Committee recommend that campus governance bodies immediately initiate involvement in the development and review of the plan required of their campuses.



## **Board of Trustees Committee on Fiscal Affairs: Meeting of February 4, 2002 (cont) – p. 4/5**

The Fiscal Committee was presented with data about various fees charged students at each *SUNY* college, including a technology fee. The annual fee for technology ranged from \$595 at Albany, \$506 at Buffalo Center, \$472 at Binghamton, to \$100 at Old Westbury. Trustee Sobel asked the Legal Counsel whether the imposition of a student fee was subject to a student referendum and was told that only the Student Activity Fee, which varies in amount from campus to campus, is subject to a student referendum.

The Fiscal Committee was presented with a chart showing the estimated annual revenue each college would receive from the technology fee. The estimates do not include summer school and so the amounts would be higher than presented. The numbers given, rounded out, are: Baruch: \$1.9 m; Brooklyn: \$1.6 m; CCNY: \$1.2 m; Hunter: \$2.3 m; John Jay: \$1.3 m; Lehman: \$963,000; Medgar Evers: \$530,000; NYCTech: \$1.3 m; Queens: \$1.7 m; Staten Island: \$1.3 m; York: \$606,000; Graduate Center: \$489,000; Law School: \$55,000; BMCC: \$1.9 m; BCC: \$860,000; Hostos: \$417,000; KCC: \$1.7 m; LaGCC: \$1.4m; QCC: \$1.2 m. Total: \$22.5 million annually.

The faculty representative, in commenting on both the proposed technology fee and the planned phase out of the last semester free tuition, called it shameful that the City University has been and continues to be so severely underfunded by the State and the City that it must self-fund necessary expenditures in order to try to fulfill its core mission. Ms. Vasquez, the student representative, spoke vigorously against both proposals and presented and read an eloquent written statement opposing both this fee and the proposal to end the free last semester. On both proposals, the four Trustees voted yes, the student representative voted no, and the faculty representative abstained.

The third proposal to increase revenues was explained in the accompanying document as follows:

“Last Semester Free. In 1992, the Board of Trustees adopted a policy that established the Last Semester Free program. Each year, the Last Semester Free Program costs the University approximately \$9 million with limited comparative benefit to the academic life of the University. Were that money re-deployed to hire 111-time faculty, the University could hire 150 additional faculty members. It is proposed, therefore, that the program be phased out over the next two years and that the funds that are saved be re-invested in the hiring of full-time faculty and the improvement of academic support services for students at the senior colleges.

“Since the Last Semester Free program was introduced, another program to help students progress towards graduation was established by the New York City Council. Recently designated the Speaker Peter F. Vallone Academic Achievement Scholarship Program, this student aid initiative provides students with a “B” average or better, with up to four years of tuition related support (50% of the student tuition rate).”

As for the proposals to reduce administrative costs, a few comments are necessary. The energy management proposal calls for a change from current practice whereby CUNY Central pays all energy costs incurred by campuses. If this proposal passes, each college will be given an allocation for energy costs and will keep any monies not spent and will have to pay from its operating budget any overexpenditures of the allocation. Concerns about the fiscal incentive to underheat and undercool campuses were addressed by added language that “Under no circumstances, however, will colleges generate savings at the expense of the health, safety, and comfort of students and faculty.”

**Board of Trustees Committee on Fiscal Affairs: Meeting of February 4,2002 (cont) – p. 5/5**

The proposal to integrate college administrative services involves, first, a pilot program involving the three Bronx campuses (Lehman, Bronx Community College, and Hostos): personnel who perform “back office” functions will be assigned to a single campus to conduct those functions for all three campuses. Such functions are personnel, registration, purchasing, etc. Each campus will, however, have personnel who have and who will continue to interact with faculty and students. The purpose is to reduce personnel performing those functions **through** re-deployment and ultimately through attrition and to re-deploy those lines to faculty lines. The Committee was assured that assessment will take place to ensure that quality of services do not decline (the plan is to have the quality of services improve) and also to assess whether and to what extent monies are saved. If successful, the project will be expanded to other campuses. In addition to the Bronx pilot project, Queens College and Queens Law School are also part of the pilot, on a smaller scale.

Submitted by,  
Karen Kaplowitz  
Faculty Member, BoT Committee on Fiscal Affairs