

Faculty Senate Minutes #230

John Jay College of Criminal Justice

May 22, 2002

3:15 PM

Room 630 T

Present (28): Yahya Affinnih, Marvie Brooks, Orlanda Brugnola, James Cauthen, Leslie Chandrakantha, Richard Culp, Edward Davenport, Jane Davenport, **Kirk** Dombrowski, Joshua Freilich, P. J. Gibson, Robert Hair, Judith Hawkins, Ann Huse, Karen Kaplowitz, Andrew Karmen, Jane Katz, Gavin Lewis, Tom Litwack, Evan Mandery, Adam McKible, Lorraine Moller, Altagracia Ortiz, Rick Richardson, Cary Sanchez, Ellen Sexton, Margaret Wallace, Robin Whitney

Absent (11): Effie Cochran, Amy Green, Edward Green, Carol Groneman, Max Kadir, Kwando Kinshasa, Amie Macdonald, Dagoberto Orrantia, Jodie Roure, Carmen Solis, Daniel Yalisove

Invited Guests: Vice President Mary Rothlein, John Jay Development Director Jacqueline Hurd Daniels, CCS Consultant Shea Lerner

Agenda of the May 22, 2002, meeting

1. Welcome and introduction of Faculty Senate members
2. Announcements from the chair
3. Approval of Minutes #229 of the May 10, 2002, meeting
4. Explanation of the organization, history, and work of the Faculty Senate
5. Nominations and Election of the Faculty Senate Executive Committee
6. Election of the Chair of the Senate's Fiscal Advisory Committee
7. Election to fill a newly vacant Senate seat on the 2002-2003 College Council
8. Report and update on the Faculty Senate's initiative to create a sense of community among faculty at John Jay: the Faculty/Staff Dining Room & Lounge project
9. Report on the actions taken at the May 13 College Council meeting
10. Report on the actions taken at the May 14 University Faculty Senate meeting
11. Invited guests: VP **Mary** Rothlein; JJ Development Officer Jacqueline Hurd Daniels; and **Mr.** Shea Lerner, consultant, CCS Associates: JJ's development (fundraising) campaign
12. Discussion about draft version of Counseling Department's pamphlet for faculty about ways to respond to students with emotional problems or students who are disruptive in class

1. Welcome and introduction of Faculty Senate members

The newly elected members of the 2002-2003 Faculty Senate were welcomed and introduced. Senate members serve a one-year term.

2. Announcements from the chair [Attachment A & B]

CUNY Budget Director Ernesto Malave has been named Interim Vice Chancellor for Budget

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and Finance, effective June 17. He replaces Vice Chancellor Sherry Brabham who is leaving CUNY on June 14 to become vice president and chief of staff at the New School University.

In response to questions at an earlier Senate meeting this semester asking the names and schedules of the four evening deans, who have heretofore each worked one evening a week until 9 PM, President Kaplowitz said upon requesting this information she has learned that there are no longer any deans or other administrators working in the evening and that counselors who work a late schedule work until 7 PM. Therefore, after 7 PM faculty who need assistance have the choice of calling the Security Office at x8542, the **NH** Security Desk at x8740, the T Building Security Desk at x8266, or the Security Emergency number, x8888, or calling the NYPD or the NYFD by dialing 9 1 1.

The newly elected at-large faculty members on the 2002-2003 College Personnel & Budget (P&B) Committee, whose election by the full-time faculty has just been certified, are Professor Todd Clear (Law, Police Science, & CJ Administration); Professor Kwando Kinshasa (African-American Studies); and Professor James Malone (Counseling & Student Life).

President Kaplowitz said she is pleased to report that on May 14 she was elected by the University Faculty Senate to the position of Vice Chair of the UFS, which was the position she had sought. The Senate applauded her accomplishment. The term is for two years. She had previously served as Treasurer of the UFS for the past four years.

The other officers elected by the UFS, who also serve two-year terms, are Susan O'Malley (Kingsborough): Chair; Lenore Beaky (LaGuardia): Secretary; Martha Bell (Brooklyn): Treasurer. The five at-large executive committee members, each of whom serves a one-year term, elected by the UFS are: Stefan Baumrin (GSUC); Sandi Cooper (CSI and GSUC); Anne Friedman (Borough of Manhattan); Eda Harris-Hastick (Medgar Evers); and Manfred Philipp (Lehman College and GSUC).

On May 14, Professor Harold Sullivan, Government Department, was re-elected to serve as the 2002-2003 Chair of the Council of Chairs. Also elected to the executive committee of the Council of Chairs are Professors Ned Benton and Michael Blitz.

Faculty are invited to attend the sixth annual student academic awards ceremony on May 29, at which students whose academic achievements merit celebration will be honored, including the recipients of the second annual Faculty Senate CUNY BA Outstanding Scholar Awards. Professor Chuck Stickney (English) will read a poem he has been asked to write for the occasion.

President Lynch will host a dinner in his office for the four honorary degree recipients, Susan Brownmiller, Daniel McCloskey, Jessye Norman, and Kay Redfield Jamison. Also invited to the dinner are those individuals who nominated the honorary degree recipients as well as the members of the Committee on Honorary Degrees and the president of the Faculty Senate. The past year's Honorary Degree Committee members, were: Professors Lotte Feinberg (chair), Todd Clear, Jannette Domingo, Elizabeth Hegeman, Jack Jacobs, Jerry Markowitz, and Maria Volpe.

Written announcements were also provided [Attachment A & B].

3. Adoption of Minutes #229 of the May 10, 2002, meeting

By a motion duly made and carried, Minutes #229 of the May 10, 2002, meeting were adopted.

4. Review of the history and role of the Faculty Senate and its relation to other College and University bodies

The first Faculty Senate was created at John Jay in the early 1970s (very differently structured than the current Senate) but was disbanded during the fiscal crisis of the mid-1970s when John Jay's existence was threatened. The Senate was created again in 1986 because the faculty decided it is critically important to have an official faculty body, so that faculty can discuss issues as official representatives of their faculty colleagues.

In addition, the College's governance body is the College Council, which has existed since the late 1960s: it now has 56 members: 28 faculty, 15 students, 5 HEOs (higher education officers), 1 alumni/alumnae representative, 1 non-instructional staff, and 6 administrators (who are statutory members): the president, provost, vice president for student development, vice president for administration, dean of admissions and registration, and dean of graduate studies. (In addition, four *ex officio* members can make motions but cannot vote: a member of the Faculty Senate; a member of the HEO Council; the business director; and the dean of undergraduate studies [associate provost].)

The Faculty Senate comprises all the faculty members who are members of the College Council and also the 17 faculty elected as at-large representatives to the Senate by the entire faculty: the 17 at-large representatives comprise 13 full-time faculty elected by the full-time faculty and 4 adjunct faculty elected by the adjunct faculty. The Senate is a deliberative and advisory body which considers issues from a faculty perspective. Any faculty member may submit agenda items, attend Senate meetings, and participate in discussions. However, only Senate members may make motions and may vote.

Ten years ago, the College Council amended the Charter of John Jay College to permit the Faculty Senate to elect representatives to the College Council from among its 17 at-large representatives. The amended Charter provides that the 28 faculty seats on the 56-member College Council shall be allocated as follows: "Each academic department shall be allocated one seat and the remaining seats shall be allotted according to any method duly adopted by the Faculty Senate" (I.3.a). The Senate, thus, may fill as many as 8 of the 28 faculty seats on the Council from among the incoming at-large members of the Senate, although the Senate may choose to fill fewer than 8 seats. Any seats unfilled by the Senate are allocated as a second seat to the largest academic departments.

Last month, the Senate elected six of its 17 at-large members of next year's Faculty Senate as representatives on the 2002-2003 College Council: Professors Marvie Brooks, Orlanda Brugnola, Edward Green, Karen Kaplowitz, Rick Richardson, and Carmen Solis. (This election must take place prior to May 1 so the academic departments can know whether any have been allocated a second College Council seat; the Department of English and the Department of Law, Police Science and CJ Adm each received a second seat on the 2002-2003 Faculty Senate and College Council.)

In the Spring of 1988, the Constitution of the Faculty Senate was ratified by secret ballot of the entire full-time faculty: the vote was 168 to 10 to ratify the Constitution, which was a vote of support for the Senate, which had been in existence for two years.

The Faculty Senate Constitution was subsequently received by the CUNY Board of Trustees when the John Jay Charter of Governance was amended to include the following language: "The Faculty Senate: The Faculty Senate shall meet at least once each semester during the regular academic year with the President of the College to discuss matters of particular concern to the teaching faculty" (Article III, Section 2). (All Charter amendments must be approved by the Board of Trustees: when this amendment was sent to the Board, the Board reviewed the Faculty Senate's Constitution and, in voting to approve the Charter amendment, implicitly agreed that the Faculty Senate is the voice of the

John Jay faculty, as stated in the Faculty Senate Constitution.) A copy of the Senate's Constitution can be found in the John Jay Faculty Handbook as well as online at the Senate's homepage, which can be found by going to the John Jay College website.

Each month a Senate meeting is scheduled prior to the monthly College Council meeting so the Senate may discuss items on the College Council agenda for the purpose of informing itself about faculty concerns and faculty perspectives (as well as about the concerns of other groups whose perspectives are represented either in reports or directly when they write to the Senate or attend Senate meetings).

In addition, the Senate frequently adopts resolutions and sends them to the College Council for action by the Council. The Senate also adopts resolutions for transmittal to the President of the College, to the Provost, to other members or organizations of the College, to the University Faculty Senate, to the Chancellor, to Vice Chancellors, to the CUNY Board of Trustees, and to elected and appointed officials.

The "Preamble" of the Faculty Senate Constitution states:

"The Faculty of John Jay College of Criminal Justice, having been entrusted by the by-laws of The City University of New York with responsibility for policy relating to admission and retention of students, health and scholarship standards, attendance, curriculum, awarding of college credit, granting of degrees, and the conduct of educational affairs customarily cared for by a college faculty, hereby establishes the John Jay College of Criminal Justice Faculty Senate in order to provide a formal means of representing faculty concerns to the administration of the College and the University and to provide a democratic forum for the deliberation of such matters and other matters upon which deliberation by the academic community may contribute to the well being of the University and the society which sustains it and looks to it for enlightenment."

(Preamble, Faculty Senate Constitution)

In writing the "Preamble," the authors of the Faculty Senate Constitution purposely included the language of the section of the CUNY Bylaws entitled "Duties of Faculty" (Section 8.6) because the duties, responsibilities, and prerogatives of the faculty are not just what John Jay's Senate says they are but what the CUNY Board of Trustees states they are, which is what the role of a college faculty historically is:

"The faculty shall be responsible, subject to guidelines, if any, as established by the board for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefor, student attendance including leaves of absence, curriculum, awarding of college credit, granting of degrees. It shall make its own bylaws, consistent with these bylaws, and conduct the educational affairs customarily cared for by a college faculty."

(CUNY Board of Trustees Bylaws, Section 8.6)

The Senate issues resolutions because the Faculty Senate is the official “voice of the faculty” of John Jay College except in those areas (terms and conditions of employment) where the Professional Staff Congress is the voice of the faculty: Article I of the Faculty Senate Constitution: “Powers of the John Jay Faculty Senate” states:

“The John Jay College Faculty Senate shall serve as one of the bodies of the College in the shaping of academic and educational policies. The John Jay Faculty Senate shall concern itself With matters of teaching, scholarship, research and any and all other matters related to faculty concerns as part of the educational mission of John Jay College. The Faculty Senate, acting through resolutions voted upon, shall be considered the voice of the faculty when making recommendations to the College Council, to administrative officials, or to other components of the College and the University, consistent with C.U.N.Y. by-laws, the Professional Staff Congress contract and academic freedom.”

(Faculty Senate Constitution, Article I)

Examples of Senate advisory positions include letters to the CUNY Chancellor, Vice Chancellors and Trustees about John Jay’s inequitable underfunding.

During the past years, several people from outside John Jay have been guests of the Senate, some of whom have been guests several times:

- ◇ Chancellor Matthew Goldstein
- ◇ Interim Chancellor Christoph Kimmich
- ◇ Chancellor W. **Ann** Reynolds
- Executive Vice Chancellor for Academic Affairs Louise Mirrer
- Senior Vice Chancellor and Chief Operating Officer Allan Dobrin
- ◇ Senior Vice Chancellor and Chief Operating Officer David Freed
- ◇ Vice Chancellor for Construction & Buildings Emma Macari
- ◇ Vice Chancellor for Academic Affairs Richard Freeland
- ◇ Vice Chancellor for Budget Richard Rothbard
- ◇ Vice Chancellor for Student Affairs & University Dean for Academic Affairs Elsa Nunez
- ◇ CUNY Budget Director Ernesto Malave

Several members of the CUNY Board of Trustees have also been invited guests of the Senate during recent years:

- ◇ Trustee Jeffrey Wiesenfeld
- ◇ Trustee John Morning
- ◇ Trustee George Rios
- ◇ Trustee Jerome Berg
- ◇ Trustee Michael Crimmins
- ◇ Trustee Kay Pesile
- ◇ Trustee Sandi Cooper

Other guests of our Faculty Senate, during recent years, have been various elected officials of

the City and of the State:

- ◇ *N Y S* Assemblymember Denny Farrell
- ◇ *N Y S* Assemblymember Scott Stringer
- ◇ *N Y S* Assemblymember Edward Sullivan
- ◇ *N Y S* Assemblymember Richard Gottfried
- ◇ *N Y S* Assemblymember (and later *N Y S* Senator) Larry Seabrook
- ◇ *N Y S* Senator Catherine Abate
- ◇ *N Y S* Senator Franz Leichter
- ◇ Manhattan Borough President C. Virginia Fields

Another important College body is the Council of Chairs, which comprises the chairs of all the academic departments, which currently number 20. Since the Senate's creation in 1986, the President of the Senate has attended the meetings of the Council of Chairs. There has always been **an** excellent working relationship between the Faculty Senate and the Council of Chairs.

Also important is the PSC Chapter, chaired by Professor James Cohen, newly elected to this position this month. The newly elected PSC Chapter vice chair is Professor Carmen Solis, who is a member of the Faculty Senate.

The College P&B Committee makes personnel and budget recommendations to the President. A subcommittee, the Budget Planning Committee, is chaired by Professor Ned Benton. The President of the Faculty Senate attends meetings of both the Budget and the Budget Planning Committees.

The University Faculty Senate (UFS) comprises delegates **from** all CUNY colleges. John Jay's 2002-2003 UFS delegates are Professors Haig Bohigian, Laurence Holder, Karen Kaplowitz, Evan Mandery, Rick Richardson, and Katherine Wylie-Marques. Professors Ned Benton and Effie Cochran are John Jay's two alternate delegates.

Additional Senate responsibilities include recommending honorary degree candidates and, since 1988, sponsoring the Better Teaching Seminars.

5. Nominations and Election of the Faculty Senate Executive Committee

Nominations and balloting by secret written ballot took place for each position. The results of the election are:

President: Karen Kaplowitz (English)

Vice President: Kirk Dombrowski (Anthropology)

Recording Secretary: Edward Davenport (SEEK/English)

Associate Recording Secretary: Jodie Roue (Puerto Rican/Latin American Studies)

Corresponding Secretary: Evan Mandery (Law, Police Science, & CJ Administration)

Member-at-Large: Amy Green (Speech & Theatre)

Member-at-Large: Kwando Kinshasa (African-American Studies)

The secret ballot vote tallies were:

President: Karen Kaplowitz: 24 yes, 0 no, 0 abstention
Vice President: Kirk Dombrowski: 23 yes, 0 no, 1 abstention
Recording Secretary: Edward Davenport: 24 yes, 0 no, 0 abstention
Associate Recording Secretary: Jodie Roue: 24 yes, 0 no, 0 abstention
Corresponding Secretary: Evan Mandery: 23 yes, 0 no, 1 abstention

The Member-at-Large vote was contested: three candidates ran for the two positions: the secret ballot vote tallies were:

Amy Green: 18
Kwando Kinshasa: 18
Rick Richardson: 10

6. Election of the Chair of the Senate's Fiscal Advisory Committee [Attachment B]

Senator Tom Litwack was nominated and elected as Chair of the Faculty Senate's 2002-2003 Fiscal Advisory Committee. This action is being taken at today's meeting rather than in September when Senate committee members and chairs are traditionally elected so that he, in consultation with the Senate's Executive Committee, may function in this official position during the summer when the College's budget allocation is received from the Central Administration and other budget issues invariably arise. [See Attachment B]

7. Election to fill a newly vacant Senate seat on the 2002-2003 College Council

Senator Carmen Solis was elected to fill a vacant seat on next year's College Council. Senator Carol Groneman, who on April 23 had been elected by the Senate to that seat, recently resigned her at-large seat on the Senate upon her election as the Thematic Studies Department representative to both the Faculty Senate and College Council. In addition to Senator Carmen Solis, the other Senate at-large representatives to next year's College Council are: Senators Marvie Brooks, Orlanda Brugnola, Edward Green, Karen Kaplowitz, and Rick Richardson, all of whom were elected by the Senate on April 23.

8. Report and update on the Faculty Senate's initiative to create a sense of community at John Jay: the Faculty/Staff Dining Room & Lounge project

A dedicated space for a Faculty/Staff Dining Room and Lounge is being constructed. The goal is to have the new facility open by the beginning of classes but there may be a delay of about a month because of other major projects that are also taking place, including the renovation of the two North Hall lecture halls on the first and fourth floors, which had long been scheduled to be done during the summer, and which must be finished by the beginning of the semester because classes are held there.

Vice President Robert Pignatello and Facilities Director Nancy Marshall are working on the expansion of a space within the Student Cafeteria, a space that had been used for storage of cafeteria equipment and supplies by John Vasquez and his staff. Vice President Pignatello has found another space for a storage facility for the cafeteria. This newly vacated space is also being expanded and will

be a dedicated space for the faculty and staff and will be open from morning until evening and will be available for use only by faculty and staff **and** their guests. Handsome furniture appropriate for a permanent facility is being ordered.

The Faculty Senate's buffet lunch project in the previous Faculty Dining Room (FDR) beginning on April **24** had been a great success, with an increasing number of faculty and staff participating each week. By the first week of May, 80 people were having lunch in the FDR each Wednesday and Thursday, the days of the buffet, a stark contrast to the six or seven people who ate in the FDR prior to the Senate's initiative.

Because of the tremendous support that the faculty and staff demonstrated by their participation in the buffet lunch in the FDR, Betsy Gitter, who had originally proposed this plan to the Senate, and Carina Quintian, Director of Career Placement, representing the HEOs (Higher Education Officers), met with Vice President Pignatello at their request in May. At that meeting, after hearing the case presented by Betsy Gitter and Carina Quintian, Vice President Pignatello agreed to create a more attractive faculty/staff dining room/lounge and to do so in a dedicated space.

9. Report on the actions taken at the May 13 College Council meeting

Upon the Faculty Senate's recommendation, through a motion made by Professor Kaplowitz on behalf of the Senate, the proposal from the Curriculum Committee that the Curriculum Committee decide on department name changes sought by academic departments was amended so that department name changes will be proposed by the Curriculum Committee to the College Council but the College Council will be the body that makes the final determination about a proposed department name change. This amendment had the support of Associate Provost Lawrence Kobilinsky, the chair of the Curriculum Committee, who was consulted prior to the College Council meeting, and who stated at the College Council meeting that the amendment actually represented a correct version of the intent of the Curriculum Committee in proposing this agenda item. The amended proposal was approved by the College Council.

Upon the Faculty Senate's recommendation, through a motion made by Professor Kaplowitz on behalf of the Senate, a proposal from the Undergraduate Standards Committee was amended. The proposal had been that the College adopt a policy whereby faculty must submit to the Registrar's Office, along with the attendance roster, all grades each student has received in each course throughout the semester, so that those grades are available if a student appeals a grade and the faculty member is no longer at the College or is on leave.

The Senate's amendment was to change the proposal so that faculty would be required to submit the entire term's grades of all their students only to their academic department (for access in case of student grade appeals) rather than to the Registrar's Office, **as** was being proposed. This amendment had the support of both Associate Provost Kobilinsky, who chairs the Standards Committee, and of Dean for Registration **and** Admissions Richard Saulnier, both of whom were consulted prior to the College Council meeting and both of whom stated at the College Council their support of the Senate's amendment, explaining that the goal of the proposal would still be attained while the privacy of student records would be better protected through the Senate's proposed amendment. The amended proposal was approved by the College Council.

A tentative calendar of College Council meetings was approved with the agreement that a final version would be developed during the summer. This procedure is followed each year.

10. Report on actions taken at the May 14 University Faculty Senate meeting [Attachment A]

A new chair of the University Faculty Senate was elected on Tuesday, May 14. Professor Susan O'Malley of Kingsborough succeeds immediately Professor Bernard Sohmer of City College.

Other officers are Professor Karen Kaplowitz of John Jay College of Criminal Justice, Vice Chair; Professor Lenore Beaky of LaGuardia, Secretary; and Professor Martha Bell of Brooklyn, Treasurer. They will all serve 2-year terms.

Elected to at-large seats on the Executive Committee for one year terms are: Stefan Baumrin (GSUC), Sandi Cooper (CSI and GSUC), Anne Friedman (Borough of Manhattan Community College), Eda Harris-Hastick (Medgar Evers College), and Manfred Philipp (Lehrman College and GSUC).

The UFS also passed five resolutions at its May 14 plenary meeting, including a "Resolution on Monitoring of Overhead Recovery Accounts" and a "Resolution on Reasonable Accommodations for CUNY Faculty and Staff With Disabilities," as well as resolutions honoring Professor Bernard Sohmer, on his service as UFS Chair, Professor Cecelia McCall, on her service as UFS Vice Chair, and Vice Chancellor Sherry Brabham, on the occasion of her departure from CUNY [Attachment A].

11. Invited guests: Vice President Mary Rothlein: JJ Development Officer Jacqueline Hurd Daniels: Mr. Shea Lerner, consultant. CCS Associates: JJ's development (fundraising) campaign

Vice President Mary Rothlein, John Jay Development Officer Jacqueline Hurd Daniels, and Mr. Shea Lerner, a fundraising consultant, were introduced and welcomed.

Vice President Rothlein thanked President Kaplowitz for providing this opportunity for her and her colleagues to provide the Senate with an overview of a really significant new endeavor for the College. Explaining that for many years John Jay did not have a director of development, Vice President Rothlein said that we now have Jacqueline Hurd Daniels as Development Officer, a position Ms. Daniels has held since October.

Vice President Rothlein explained that the decision had been made for the College to hire CCS, Community Counselling Services Co., Inc., a consulting firm. Mr. Shea Lerner, a Director of CCS, noted that his is the largest fundraising consulting firm in the world and explained that he has been asked by President Lynch to help John Jay respond to Chancellor Goldstein's directive to every CUNY college president to engage vigorously in a fundraising campaign for each of their colleges.

Mr. Lerner explained that CCS is providing consulting services to the College by developing a feasibility study to determine whether a successful fundraising campaign could be undertaken by the College and, if so, what a feasible fundraising goal would be. He noted that his group is in the process of conducting up to 65 anonymous interviews with individuals who represent a wide range of constituencies to ascertain their perceptions of the College. On the basis of the feasibility study, the College will then have to decide whether and how to proceed. If the feasibility study indicates that a fundraising campaign could be successful, the College could choose to engage the services of CCS, and CCS would then have to make its own determination as to whether it wishes to participate in that next stage of the fundraising process.

President Kaplowitz said that she has been pleased to participate in the process, having been

interviewed by **Mr. Lerner** at great length. Senator Tom Litwack said that he, too, had been pleased to participate in the feasibility study by being interviewed by **Mr. Lerner**.

Mr. Lerner said that based on the interviews he has conducted thus far, about half of which have been completed, there is a clear commonality among the responses. From his company's standpoint, such a commonality of responses makes it easier to develop an overall fundraising plan. He has been very impressed with the extent to which the individuals he has interviewed have been willing to spend time speaking with him. He then reviewed some of the areas of need that emerged in the interviews, noting that his interviews seek to determine each person's perceptions of John Jay's strengths and weaknesses as well as suggestions as to how the College can strengthen its position in the educational and criminal justice worlds.

Mr. Lerner noted that his company has not yet determined any specific dollar figure for the goal of a five-year fundraising campaign but would do so as part of the feasibility study. Mr. Lerner spoke of being impressed that every person he has interviewed thus far has a positive view of the College, noting that this is significant especially in light of the fact that everyone interviewed is assured that their comments will be kept confidential, which is the usual practice. He said that the people he interviewed are keenly aware that John Jay has serious problems with its physical plant, in particular North Hall, and he recommended that all visitors and all potential contributors should be taken on a tour of North Hall to see the extent and seriousness of John Jay's needs.

Senator James Cauthen asked what **Mr. Lerner's** timeline is for this initial part of the project. Mr. Lerner explained that the feasibility study will take about 8 weeks and that he had hoped to complete the study by June 1, but that he wants to wait to interview Police Commissioner Ray Kelly, because his input is so very important, before submitting his report. He emphasized again that each person interviewed is assured and is given complete confidentiality. He added that he believes the good morale he has witnessed at the College indicates that a fundraising campaign could be successful.

Senator Altagracia Ortiz explained that she is a historian and that historians do not think in terms of periods of five years but rather in terms of centuries. As a graduate of *CUNY* and as a member of John Jay's faculty for more than 30 years, she has been very sensitive to the fact that fundraising has always been engaged in by private colleges but that our public university has always relied on public funds and she hopes that turning to fundraising from the private sphere will not "enclose us inside a box." She said the reason Mr. Lerner has received the responses he has so far is because we are a college that is not "inside the box." She said that her concern is that John Jay be more independent than we are now rather than less independent.

Mr. Lerner said he believes this fundraising campaign will position the College to be in a stronger fiscal position which, in turn, will give it greater not less independence. He pointed out that prior to 1974, public colleges and universities in New York State were legally prohibited from fundraising because of fears about co-mingling private and public funds. Since 1974, each public college and university has had the right to engage in fundraising by establishing its own foundation. Unfortunately, he acknowledged, funds are often donated with strings attached and, therefore, questions do have to be asked of the potential donor at the time the gift is being offered. He said he does not want to talk about capitalizing on 9/11 but he does think it is important to recognize that John Jay is well positioned to help many people with security concerns that arise from 9/11.

President Kaplowitz said that people who give money want assurance that their gift is used for the purpose for which it was given and for the purpose for which the College accepted the gift. She said that a member of the faculty, whom she will not identify during this discussion, who has invested hundreds of hours of her own time to raise funds for a specific cause at John Jay, has just discovered, by the purest chance, that the funds she had solicited and had raised are not to be used for the purpose for which they were raised, but are instead being pooled with other funds for an entirely different

purpose. She said this faculty member is rightly very, very angry and, indeed, was stunned to learn of this, as was she.

Director Daniels said she does not know of this situation but agreed that it is a very serious and unacceptable matter and Vice President Rothlein agreed, saying she would look into it. President Kaplowitz said that people will only give gifts if they have absolute confidence that their **gift** will be used for the purpose agreed to by the donor and by the College. Vice President Rothlein and Director Daniels concurred.

Vice President Rothlein noted that everyone who has been asked to be interviewed, thus far, has been gracious with their time. She explained that a pre-planning group at John Jay decided who within and outside John Jay would be interviewed.

Vice President Rothlein added that a copy of Mr. Lerner's feasibility report will be sent to Karen Kaplowitz as soon as it is available and that the report may, of course, be shared with the Senate.

12. Discussion about the draft version of the Counseling Department's pamphlet for faculty about ways to respond to students with emotional problems or students who are disruptive

At the April 10 meeting of the Faculty Senate, Security Director Brian Murphy had informed the Senate that the Department of Counseling is revising a 1995 pamphlet for faculty on ways to assist students who have emotional problems or students who are disruptive in class. Upon learning this, the Senate decided to **ask** to review a draft of the pamphlet in order to provide the perspective of faculty who do not have the training that the Counseling faculty have.

Professor Robert DeLucia, the Director of the Counseling Department, upon learning of the Senate's request, welcomed this offer by the Faculty Senate to review the draft version, as did his colleagues in the Counseling Department. Professor DeLucia provided a draft version of the pamphlet for the Faculty Senate, which was included with the agenda for today's Senate meeting,

Because of the lateness of the hour and, therefore, the necessity to adjourn the meeting because faculty are scheduled to give final exams in a few minutes, it was agreed that any comments about the draft pamphlet, any suggested revisions, any suggested deletions or additions, will be communicated by each person directly to Professor DeLucia at ext. 8142.

President Kaplowitz said she promised Professor DeLucia that she would convey to the Faculty Senate the gratitude of Professor DeLucia and of his colleagues on the Counseling faculty, who want this pamphlet to be as useful as possible for the faculty for whom it is being written **and** published. Professor DeLucia told her that it will be invaluable to receive pre-publication comments from the very people for whom the pamphlet is being published, based on their successful and, perhaps, unsuccessful experiences inside and outside the classroom with students who have emotional problems or students who are disruptive. He asked her to express his thanks to the Senate for making this offer of assistance.

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

Respectfully submitted,

Edward Davenport
Recording Secretary

Announcements from the Chair

University Faculty Senate holds elections

A new chair of the UFS was elected Tuesday, May 14. Professor Susan O'Malley of Kingsborough immediately succeeds Professor Bernard Sohmer of City College. The term of office is **two** years.

Other officers are Professor Karen Kaplowitz of John Jay College of Criminal Justice, Vice Chair, Professor Lenore Beaky of LaGuardia, Secretary; and Professor Martha Bell of Brooklyn, Treasurer. They will all serve 2-year terms.

Elected to at-large seats on the Executive Committee for one year terms are: Stefan Baumrin (GSUC) Sandi Cooper (CSI and GSUC), Anne Friedman (Borough of Manhattan Community College), Eda Harris-Hastick (Medgar Evers College), and Manfked Philipp (Lehman College & GSUC).

University Faculty Senate adopts resolutions at its May 14 Plenary

The UFS approved several resolutions at its May 14 plenary meeting:

Resolution #1: Resolution on Monitoring of Overhead Recovery Accounts

Adopted: Unanimously by voice vote as amended: May 14, 2002

Whereas, Each *CUNY* College is reimbursed by the RFCUNY for all the overhead charged to the grants and contracts developed by its faculty and staff except for **an** administrative fee, now at 7 3/4% of the total value of each grant; and

Whereas, Each CUNY College is reimbursed for the full amount of faculty reassigned time charged to grants and contracts; and

Whereas, Each *CUNY* College is credited with its share of the interest proceeds earned from the pool of Colleges Reserve Accounts maintained by RFCUNY; and

Whereas, The expenditures from any of the above funds accounts are not subject to the usual restrictions and monitoring imposed by the State on tax-levy funds; and

Whereas, This flexibility in the allocations of these funds has on a number of occasions resulted in the non-congruence of the expenditures with the provenance of these funds; and

Whereas, The purpose of these funds has always been understood and accepted by the concerned Faculty to be seed money intended to support, nurture and develop further research activities and educational programs on the campuses; now therefore

Be it resolved that the UFS recommends that:

1. Each campus faculty governance body establish an oversight committee on Overhead Recovery Funds, that will advise the President prior to the allocation of these funds, monitor the expenditure of these funds to insure compliance with their intended purpose, and submit a written report to the faculty once a year on their experiences.

2. The majority of the membership of this oversight committee consist of the active researchers and Principal Investigators on externally-funded grants and contracts.

University Faculty Senate adopts resolutions at its May 14 Plenary (cont)**Resolution #2: Resolution on Reasonable Accommodations
for CUNY Faculty and Staff With Disabilities****Adopted: Unanimously by voice vote as amended: May 14, 2002**

Whereas, Section 504 of the Federal Rehabilitation Act of 1973 established the legislative obligation for all colleges and universities receiving Federal dollars to increase physical and programmatic access and to provide auxiliary aids and prohibit discriminatory procedures and states in part (**as** amended): "No otherwise qualified person with a disability in the United States . . . shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance [*italics added*]," and

Whereas, The Americans With Disabilities Act of 1990 and the Reauthorization of the Rehabilitation Act of 1992 further iterate the responsibilities of both the public and private sector to make all necessary accommodations for individuals with disabilities accessing programs and services, and

Whereas, An established procedure exists on each CUNY each campus for students with disabilities to request reasonable accommodations, and a budget is provided at each campus to provide those accommodations for students with documented disabilities, and

Whereas, There is no established CUNY procedure for CUNY faculty and staff with documented disabilities to request reasonable accommodations (and procedures that do exist on some campuses are neither clear nor consistent) nor is there a budget at most, if at any, CUNY colleges to provide such accommodations for faculty and staff, and

Whereas, The lack of written, clear, and promulgated CUNY-wide procedures and the lack of college funding to provide accommodations may cause some faculty/staff accommodations to be seriously delayed or not provided at all, a condition that has caused and may continue to cause increased disability and suffering and to occasion successful grievances and lawsuits, as well **as** diminished productivity and ill will,

Therefore Be It Resolved, That the University Faculty Senate calls on the Chancellor to ensure that:

- ◇ CUNY presidents be provided with a written directive explaining the legal mandates for colleges to provide reasonable accommodations when requested to faculty and staff and other members of the *CUNY* community, including guests, who have a disability;
- ◇ Colleges provide a budget to ADA/504 Coordinators* for reasonable accommodations for faculty and staff with disabilities, beginning no later than the start of the Fall 2002 semester;
- ◇ CUNY-wide procedures governing requests by faculty and staff with disabilities for reasonable accommodations shall be established, in writing, and widely promulgated throughout the CUNY community and posted on the CUNY homepage, no later than the beginning of the Fall 2002 semester;
- ◇ Such written procedures shall be distributed to newly hired faculty **and** staff at the time of their hiring.

*The College ADA/504 Coordinator is usually the College's Director of the Office of Affirmative Action, Compliance, and Diversity.



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

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May 14, 2002

Vice Chancellor Sherry Brabham
Budget Director Ernesto Malave
The City University of New York
535 East 80 Street
New York, N Y 10021

Dear Vice Chancellor Brabham, and Director Malave,

On behalf of, and at the direction of, the John Jay Faculty Senate, we are writing to convey the Senate's unanimous endorsement of Vice President Pignatello's request on behalf of the College that the entirety of the 2002-2003 lease revenues from the Phase II site be allocated to John Jay to supplement the College's operating budget.

Since we know that you are fully aware of the extent of John Jay's relative underfunding within CUNY – **and**, therefore, of John Jay's need for these revenues to approach maintaining proper operations – we will not belabor this point.

It is our expectation that John Jay's administration will fully consult with elected faculty budget leaders, including ourselves, with regard to decisions concerning how such lease revenues should and will be spent.

Thank you for your consideration of the College's request and of the John Jay Faculty Senate's endorsement of that request.

Sincerely,

Karen Kaplowitz
President, Faculty Senate

Warren Benton
Chair, College
Budget Planning Committee

Tom Litwack
Chair, Faculty Senate
Fiscal Advisory Committee

cc. President Lynch
Vice President Pignatello
Provost Wilson