

Faculty Senate Minutes #238

John Jay College of Criminal Justice

Friday, December 6, 2002

3:15 PM

Room 630 T

Present (29): Yahya Affinnih, Desmond **Arias**, Marvie Brooks, Orlanda Brugnola, Leslie Chandrakantha, Effie Cochran, Richard Culp, Edward Davenport, Jane Davenport, Kirk Dombrowski, Joshua Freilich, P. J. Gibson, Carol Groneman, Judith Hawkins, **Ann** Huse, Karen Kaplowitz, Andrew Karmen, Gavin Lewis, Tom Litwack, Evan Mandery, Adam McKible, Lorraine Moller, Rick Richardson, Jodie Roure, Cary Sanchez, Ellen Sexton, Liliana Soto-Fernandez, Margaret Wallace, Robin Whitney

Absent (10): Philip Bonifacio, Amy Green, Edward Green, Robert Hair, Max Kadir, Kwando Kinshasa, Amie Macdonald, Altagracia Ortiz, Carmen Solis, Davidson Umeh

Guests: Professors George Andreopoulos, Ned Benton, Janice Bockmeyer, Avram Bornstein, Dorothy Bracey, Blanche Wiesen Cook, Lotte Feinberg, Betsy Gitter, Joan Hoffman, Jack Jacobs, Jill Norgren, Ruth O'Brien, Daniel Pinello, Catherine Rovira, Harold Sullivan

Invited Guests: CUNY Interim Vice Chancellor for Budget and Finance Ernesto Malave, President Gerald W. Lynch

Agenda of the Friday, December 6, 2002, meeting

1. Announcements from the chair
2. Adoption of Minutes #236 of the Nov. 20 meeting & of Minutes #237 of the Nov. 27 meeting
3. Proposed Resolution of Gratitude and Affection for Jill Norgren
4. Declaration of 1 vacant at-large adjunct position on the Senate and action to be taken
5. Declaration of 2 vacant at-large full-time faculty positions on the Senate and action to be taken
6. Declaration of 1 vacant faculty position on the College Council and action to be taken
7. Proposed Resolution regarding stabilization of JJ's enrollment
8. Continuation of the Senate's November 27 discussion of the Middle States Self-Study Draft Report
9. Discussion of the December 12 College Council agenda
10. Approval of the first book for the book discussion group created by the Senate
11. Discussion of the Student Council proposal for a second summer school session
12. Invited Guest: Interim Vice Chancellor for Budget and Finance Ernesto Malave
13. Invited Guest: President Gerald W. Lynch
14. Celebration of Professor Jill Norgren

1. Announcements from the chair [Attachment A]

The contract with Skidmore, Owings and Merrill, the architects who will design and build Phase II, just been signed. The Senate applauded this news. Information about the State budget situation was provided [Attachment A].

2. Adoption of Minutes #236 of the Nov. 20 meeting & Minutes #237 of Nov. 27 meeting

By a motion made and adopted Minutes #236 of the November 20, 2002, meeting and of Minutes #237 of the special November 27, 2002, meeting were approved.

3. Proposed Resolution of Gratitude and Affection for Jill Norgren [AttachmentB]

Professor Jill Norgren was one of the founders of the Faculty Senate; she served as the first President of the Senate from 1986 to 1988; and she has served on the Senate ever since, except for those times she has been on leave from John Jay. Jill is retiring from John Jay in January. At the end of today's meeting, a party for Jill is being given by the Senate, by the Government Department, of which she is a member, and by the Women's Studies Committee, which Jill chaired for several years and on which she has served during its entire existence. In addition to a gift and the party (which is being paid for by faculty from these three groups), the Senate Executive Committee is proposing that Jill be presented with a Resolution of Celebration and Appreciation from the Senate. A motion to adopt the proposed Resolution was approved by unanimous vote [AttachmentB].

4. Declaration of one (1) vacant at-large Senate adjunct seat and action to be taken

Senator Edward Green, one of the four at-large representatives of the adjunct faculty, has submitted a letter of resignation. As required by the Senate Constitution, a motion was made and adopted declaring his seat vacant. The Senate Constitution states that in the case of a vacancy, the Senate shall decide what action, if any, to take to fill the seat. The Senate decided to direct President Kaplowitz to issue a call for nominations and self-nominations and, depending on the response, the Senate will decide at its next meeting what action, if any, to take.

5. Declaration of one (1) vacant at-large Senate full-time faculty seat and action to be taken

Because Senator P. J. Gibson is taking half her sabbatical leave in the Spring, she has tendered a letter of resignation from her at-large full-time faculty seat. The Senate declared the seat vacant as of December 31. The Senate then agreed to declare the next highest recipient of votes in this year's at-large election as the newly elected at-large full-time representative to the Senate and the Senate made this decision without knowing the identity of this individual. The motion was adopted by unanimous vote. Therefore, Professor Francis Sheehan (Science) has been elected to fill Senator P. J. Gibson's seat as of January 1. It was also announced that the Executive Committee had ascertained that Professor Sheehan has agreed to and would be honored to serve if the Senate decided to take this action.

6. Declaration of one (1) vacant faculty position on the College Council and action to be taken

Because Professor Edward Green was also a Senate representative on the College Council, his resignation from the Senate renders his College Council seat vacant. The Senate agreed to decide upon what action, if any, to take, after assessing the response to the call for nominations and self-nominations.

7. Proposed Resolution regarding stabilization of enrollment by increasing! graduate and baccalaureate degree enrollment, and by decreasing associate degree enrollment: Executive Committee [Attachment C]

The Executive Committee presented a followup Resolution to the Senate's September 25, 2002, Resolution which called on the College Administration to stabilize (i.e., cap) enrollment at the current level. This followup Resolution describes how this stabilization would be done: the proposal is to increase our graduate student population and our baccalaureate student population and decrease our associate degree student population [Attachment C].

Senator Tom Litwack spoke in support of the Resolution by introducing statistics showing that John Jay is currently at 9,600 student FTEs and that the combined facility of T Building and Phase II is planned for only 8,000 FTEs, so we have long ago outgrown the new facility, and yet we are projected to keep growing our enrollment. Senator Litwack also spoke to the question as to whether CUNY community colleges would have space in their facilities to accept more associate degree students, if John Jay were to admit fewer associate degree students. His statistics show that even if Phase II were already built and moved into, our total space would be less than that of the CUNY community colleges (with the exception of BMCC on Chambers Street, which is now extremely space poor because an entire classroom building was destroyed on 9/11). Also John Jay receives far less funding per each student FTE than the community colleges receive, so the statement in the proposed Resolution that those associate students not accepted by John Jay because of enrollment capping could go to community colleges is realistic and accurate.

Senator Liliana Soto-Fernandez asked what we can do to prevent other CUNY colleges from duplicating our unique majors. President Kaplowitz said that that decision is up to the Chancellor and that we, as faculty, can urge the Chancellor to not permit such duplication and we can call upon our John Jay administrators to urge the Chancellor to not permit such duplication. Senator Litwack noted that about 4 years ago, the Senate proposed raising admission standards for both our associate and baccalaureate programs, a proposal that was approved by the College Council and was implemented by the College, and the result was the exclusion of a certain number of associate degree students, but that action by John Jay did not automatically empower those community colleges who took ~~our~~ excluded students to duplicate our programs

Vice President Kirk Dombrowski noted that the Bylaws of the CUNY Board of Trustees identify admission standards as a prerogative and responsibility of the faculty and, therefore, he said, this Resolution should be made even stronger: we should not just recommend but we should call upon the College Administration to make the changes we advocate.

Senator Cary Sanchez spoke to the admission process and spoke about questions she had asked of the Registrar who has said that the College is committing itself to a Fall 2003 freshman class comprising 75% baccalaureate degree students and 25% associate degree students as proposed by the Senate many years ago and which the Administration had agreed to at the time but has not put into practice before now.

President Kaplowitz said that because the contract with Skidmore, Owings, and Merrill was just signed, we have six months to plan Phase II and it is important that we have a vision of what we want our College to be as we engage in this process. Senator Gavin Lewis said that the College administration has been committed to increasing student enrollment as a way of increasing funding without regard to safety and academic integrity.

Senator *Ann* Huse said the admission of underprepared students is an important pedagogical issue. She also said that there are many, many cases of plagiarism and that these two situations hurt students who could have had a seat in various courses but who are excluded because of constantly increasing enrollment.

Vice President Dombrowski asked Senator Litwack if our base budget would be cut if we were to cap our enrollment. Senator Litwack said we should talk to Vice Chancellor Malave about this when we meet with him later today.

President Kaplowitz noted that one of the reasons we kept increasing our enrollment was to make the case that we absolutely need a new building, that we absolutely need Phase II. Now that the contract with the architects has been signed and the funding has been provided, we should stop growing our enrollment, especially, as Senator Litwack has pointed out, we have already long ago outgrown Phase II.

She said we should focus on two principles: the first principle is that we are opposed to other *CUNY* campuses being given permission to duplicate our unique majors for two reasons: because we are at a disadvantage in not being able to offer a traditional range of liberal arts, humanities, and science majors and also because in 1975-76, when we were stripped of our liberal arts, humanities, and science majors, we were promised that we would be the only *CUNY* college to offer majors in criminal justice and related areas. Baruch, after all, is a specialize-mission college, and yet in addition to business, it offers majors in history, English, and the other liberal arts and humanities. The second principle is that whether we increase, decrease, or stabilize our enrollment, we should have more graduate students and more upper-level baccalaureate degree students and fewer associate degree students. Senator *Cary* Sanchez and Senator Jodie Roure agreed but voiced their concern that we do everything we can to ensure that the diversity of our student body not be negatively affected by an increase in graduate students and by a decrease in associate degree students.

President Kaplowitz said that we also have to look at our class schedule. Students, even in Manhattan, cannot attend a 5:00 PM class if they work a traditional 9-5 job. And police officers no longer end their tour at 4 PM; rather, they finish at 3 PM and a two-hour wait until 7th period is too long. The Thematic Studies Department long ago changed 7th period to begin at 5:30 PM and their 7th period classes and the classes afterward are full. We may better utilize our classrooms if we redesign our class schedule, which we have not revised in 15 years. At that time the Senate proposed to the College Council a change in the class schedule, a change which was approved and implemented.

It's time to look at the schedule again. If we design time periods differently, we may have more students at night. The fear of traveling at night that was pervasive in the City during the 1980s and 1990s changed under Bill Bratton's watch. Senator Litwack agreed that classrooms are underutilized in the evenings and on Fridays, adding that we absolutely need to have a full discussion about this. Senator Andrew Karmen reported that our graduate program is experiencing enrollment increases but no one knows why. He added that it had been thought to be a function of the economy, but the students say that is not what motivated them to enroll in graduate programs here.

Senator Sanchez said the Science Department is offering Friday classes and the students love it. She said we need to speak to Patricia Sinatra about what is happening with regard to Friday classes. Senator Evan Mandery said we want this to be primarily and truly a senior college and he doubts that this Resolution would negatively affect diversity and so he supports the Resolution. Senator Karmen asked whether we are sure that the community and comprehensive colleges have space for the students

we would not be accepting.

Senator Litwack said that because so many important issues are being raised, he recommends that we wait until we have spoken with the Vice Chancellor for Budget and Finance, Ernesto Malave, today as well as, later today, with President Lynch. President Kaplowitz disagreed, saying that it is important that when the President arrives we tell him the Senate's position about our constantly increasing enrollment, its negative impact on the College, and the negative impact it will have on the planning for Phase II. Senator Litwack disagreed saying that we do best when we vote in an informed way. A motion was made by Senator Mandery to proceed with the Resolution and that motion was seconded by Vice President Dombrowski. Senator Litwack moved to table the Resolution until after the Senate meets with Vice Chancellor Malave and then with President Lynch and the motion to table was seconded by Senator Ellen Sexton. The required two-thirds vote to table was short by one vote and so President Kaplowitz voted with those wishing to table because, she said, it is clear that a very significant number of Senators wish to have more information before voting.

And, therefore, the Senate voted to table the Resolution so as to be able to be informed by discussions that will be taking place later in today's meeting with Interim Vice Chancellor for Budget and Finance Ernesto Malave and later with President Lynch.

9. Continuation of the Senate's November 27 discussion about the Middle States Self-Study Draft Report [Attachment D & E]

Dean Rubie Malone wrote a response to the Senate's April 27 commentary [see Minutes #237] about the Middle States Self-study Report [Attachment D]. Copies of Dean Malone's letter to the Senate were distributed.

Based on the response from Dean Rubie Malone, on behalf of the Middle States Self-study Steering Committee, which was written in response to the Senate's recommendations made at its specially called meeting on November 27, 2002, for the sole purpose of discussing the Draft Report, the Senate voted by a vote of 24 yes, 4 no, and 1 abstention to not continue discussing the Draft Report at today's meeting.

The Senate discussed Dean Malone's response at length. Senator Litwack said it is not an acceptable response for the Middle States Steering Committee to reply to critiques of the Self-study by saying: "If you supply the analysis and the text, we may include your comments, but we will not even consider doing so otherwise." Senator Carol Groneman said we know that the Self-study is a political document and that some information which we think should be in the document will never be put in, but that does not mean we cannot or should not say that such information should be included.

Various Senators said that the analyses requested by Dean Malone had been included in the chapters their committees wrote but that those analyses were deleted during the summer when the Self-Study was edited. 16 of the 39 members of the Faculty Senate served on Middle States Self-study Committees. Senator P. J. Gibson said the Self-study is reminiscent of the making of a film in terms of footage left on the cutting room floor. Senator Andrew Karmen said he wants to second Senator Gibson's analogy of the cutting room floor, and he enumerated analyses which he knew had been submitted by various committees but that had not been included in the Self-study Report. He said we should say we do not approve of the editing of the document. The Senate concurred with this suggestion but Senator Litwack said that we cannot limit our response to that because the data are available to the Steering

Committee and the Self-study Report is seriously flawed and the response to the Senate's April 27 document [Attachment D] is totally unacceptable.

The Senate voted to authorize the President of the Senate, in consultation with the Senate Executive Committee, to write a response to Dean Rubie Malone and the Steering Committee that incorporates the comments made during the Senate's discussion about this matter today. The vote was unanimous [Attachment E].

10. Discussion of the December 12 College Council agenda

The only item on the December 12 College Council agenda is a first reading of an amendment of Article I. Section 10.g. of the College Charter. This amendment is proposed by the Committee on Graduate Studies and would give the Chief Librarian voting rights on this Committee. The other members of the Committee of Graduate Studies all have votes: the Dean of Graduate Studies and Research; the Dean of Students; the Dean for Admission and Registration; the Graduate Program Directors; the BA/MA Director; and two graduate students.

10. Approval of the first book for the informal book discussion group created by the Senate

Upon the recommendation of the ad hoc group, Desmond **Arias**, Karen Kaplowitz, and Evan Mandery, the Senate selected as the first book to be read by the informal book discussion group the Senate has created. That book is The Human Stain, a novel by Philip Roth. The Senate agreed that the book discussion group, which is open to all faculty and staff, will take place toward the end of the Spring semester. The Senate, after voting to approve this selection, agreed that future book selections will be made by those who attend the book discussion meetings.

11. Report and recommendations from the Senate Fiscal Advisory Committee about the Student Council proposal for a second summer school session and possible Faculty Senate action.

Upon the arrival of *CUNY* Interim Vice Chancellor Malave, this issue was tabled.

12. Invited Guest: CUNY Interim Vice Chancellor for Budget and Finance Ernesto Malave [Attachment F]

CUNY Interim Vice Chancellor for Budget and Finance Ernesto Malave was welcomed and introduced to the new Faculty Senate members and was warmly greeted by Senate members who were members of the Senate when Vice Chancellor Malave previously met with John Jay's Senate, most recently in December 2001. President Kaplowitz noted that Vice Chancellor Malave's several previous meetings with us were in his capacity as CUNY's Budget Director but that today's meeting is the first time that he is meeting with us in his position as Interim Vice Chancellor for Budget and Finance and she congratulated him on his appointment. [The Senate expressed its congratulations with sustained applause.] He was thanked for accepting the Senate's invitation.

Vice Chancellor Malave: Thank you. I am always pleased to meet with John Jay's Faculty Senate. I

want to thank you for inviting me to join you for lunch, because I enjoy being able to speak informally with members of the Senate as well as with other faculty who are here, and I want to express my appreciation also for your invitation to the formal part of Senate meeting. Unlike my usual practice, I did not today bring budget documents to distribute to the Senate. There will be other occasions for me to do that again, at subsequent meetings that I look forward to having with you.

I would like to briefly summarize the current budget situation, then talk about what I see as the outlook for the rest of this year and then what I see as the outlook for next year, and then I would like to answer any questions about the general situation, the CUNY situation, and the situation here at John Jay.

I'd like to start with the good news because it may, indeed, give us some hope. Those who own property in the City of New York are especially aware, as I am sure everyone here is aware, that the City of New York modified its budget for 2003 by, among other things, increasing property taxes by 18.5% and making almost \$1 billion in cuts to the City agencies. CUNY was faced with a cut of \$11.7 million, first, and then \$9.6 million after that and, ultimately, that cut was reduced to \$124,000. That was nothing short of phenomenal, given that this was in the middle of the biggest budget crisis that most people could remember.

The City administration had originally recommended cutting CUNY community colleges by \$5.9 million; eliminating the Spring semester for the Vallone Scholarship Program; making what are, actually, minor cuts to the John Jay Police Certificate Program and to some of the other member items; for a total of \$9.6 million. People felt that under the circumstances the best they could probably hope for was to get the Vallone Scholarships restored and, thus, that became the number one priority. But toward the end, the City Council, in part because of a lot of the work that is done by the CUNY colleges, told the Mayor that the City Council's priority was not only the restoration of the Vallone Scholarship Program but the restoration of the entire cuts to the community colleges and the entire restoration of the various member items. And the Mayor agreed to this. You know that just would not have been the reaction of the previous Administration. What I think really happened here is that there is a generational change in the City Council. Gifford Miller, the Speaker, Bill Perkins, the Deputy Speaker, Joel Rivera, the Assistant to the Deputy, provide a new leadership at the City Council that believes very strongly in the work of CUNY.

And then on the other end is Mayor Bloomberg, who obviously does not have the kind of appetite for budget cutting that other mayors have had and who said that revenues are an important component of the budget situation and who is not prepared to see colleges and other agencies be cut a great deal. Also, we have a Deputy Mayor who just happens to be a Trustee of CUNY. Marc Shaw, as you may know, is a Deputy Mayor, but he is also a member of the CUNY Board of Trustees. It is very important that we have a Deputy Mayor who is very supportive of CUNY. And yet no one expected that kind of victory, a victory that was enormous: everything that was to be cut was restored. The community colleges face zero cuts, at least for now, and that was a major, major victory.

I hope that the people upstate, both those in the Governor's Office and in the Legislature, want to take a page out of the leadership that was shown by both Mayor Bloomberg and by the City Council, in that in the midst of a major fiscal crisis, when everyone is automatically expecting that there is going to be a budget cut, that doom is going to come, and that the axe is going to fall, that, in fact, that doesn't necessarily have to be the case. People can make decisions about priorities. And obviously the people in the City Council and in the Mayor's Office made the decision that the cuts to CUNY, thus far, do not have to be made. And if that could find its ways to the halls of Albany we may be in a lot better position. Even in the midst of the State budget crisis, the State will have an \$85 billion

budget next year, that is \$85 billion will be allocated for a variety of priorities, and we're hoping that higher education is among them. So that's the really, really good news on the City and community college front.

Now let's shift to the State side. I am sure you know that when CUNY allocated the budget to the colleges this year, a 2% encumbrance was set aside. Upon issuing the allocation, we explained that the 2% encumbrance was, in part, because of our concern that the budget that Albany had just adopted, just like the budget the City had adopted, was not real and that the budget would unravel and that CUNY would be faced with mid-year reductions. So the question was whether to take that medicine at the time, in July, when we had an entire year to work on the situation or wait and wake up in November or December and exclaim, "What has just happened!" especially given the fact that this situation has occurred before. And so we set up a 2% encumbrance. And we had, indeed, read the situation correctly.

In a letter from the Governor's Office, a couple of weeks after the election, a letter that Karen posted on the University Senate Forum, the other shoe fell: the letter communicated a proposed mid-year reduction of about \$12 million. So right now the University is preparing to return approximately \$12 million to the State. But because we had set up that 2% encumbrance, which equaled \$13.1 million in the beginning of the year, and because colleges have been spending in accordance with their financial plans and did not spend that money, we should be able – unless there is a third shoe that is going to be dropped – and I don't think there is a third shoe, we should be able to manage our resources for the remainder of the fiscal year without another 2% reduction. For a college like John Jay, if it did not spend the 2% encumbrance, that was almost \$800,000. That 2% is not currently in your budget plan, I do not believe we will be subjected to another budget hit.

Having said that, all of us read the newspapers this morning, and we saw that the Governor is speaking of a \$2 billion deficit, actually closer to a \$2.5 billion deficit, for the current year. The question will be is whether the action the Governor took, the so-called 5% cut – I'll explain the difference between the 2% and the 5% because that tends to confuse people – the question will be and has been asked in both the news and elsewhere whether the 5% cut will be enough, whether the Governor has taken the right action. The Governor's Office has had time to think about this. When the letter was finally issued by Carole Stone [Director of the NYS Division of the Budget], I am certain the numbers had already been added correctly and that this \$2 billion deficit was not a major surprise but rather that the \$2 billion deficit and the actions that were taken were known to the State budget officials weeks ago. So I have some confidence that they are better than most in calculating numbers when they want to. And so I don't think we have a lot to worry about.

Also, the article suggests other approaches the Governor has as options, whether it is tobacco proceeds from the tobacco settlement or other places in terms of rainy day funds so that they may not have to again visit the issue of spending by agencies. Ten minutes ago, I called my office to ask the Budget Director whether he has heard anything because today is a big day in the Budget Division in Albany because today they are collecting the numbers from all the agencies and adding them together to make sure that the numbers do, indeed, work out. It is one thing to say, "Please cut 5% of the remaining spending that you have," but commissioners will come back and say that they can't cut 5% but only 3% and give their reasons and others will have other responses. So until that discussion takes place he won't be completely certain we're out of the woods, but we believe that for the most part that we are in fairly good shape. And so when you read the newspaper articles everyone should know that we have taken all that into account, that none of the cut is on top of anything CUNY has already done.

The article also refers to hiring freezes. When there is reference to hiring freezes by the City or by the State, that does not automatically transfer into hiring freezes for CUNY. Both the State University of New York and the City University of New York are not exactly State agencies: both are governed by Boards of Trustees that are quasi independent and, in addition to that, we have a lot of revenue coming in from tuition. So it's very difficult for the State Budget Division to tell us what is going to be our headcount and that we will have to go through hoops in order to hire people.

We also made it clear to the Governor's Office that CUNY is participating in the ERI [Early Retirement Initiative] under the express condition that we are going to replace full-time faculty. We can determine whether everyone has to be hired on February 1 or whether some can be hired July 1, but in the end that was the commitment, that we would replace full-time faculty who take the ERI. As part of the deal, we said that on the administrative side there is no automatic replacement for people who choose to elect to separate from the University and the Governor's Office agreed to that arrangement. As long as we give them the money, they won't really care but they will care if the stats suddenly started to explode and they felt that we had lost our bearing. In such a case, they would give us a call and let us know that, but we're not there yet and I don't expect us to get there. The bottom line is that for the rest of the year I think we are all right.

The University enjoyed an enrollment increase this year which was the equivalent of the entire student population of John Jay: about 11,000 new students entered CUNY this year and they brought a lot of money with them – they brought their tuition dollars. So the senior colleges, despite this \$13 million reduction – which was taken care of by that 2% encumbrance – generated an additional \$20 million in tuition revenues that go to support the institutions. In the case of John Jay alone, the additional revenue for John Jay from additional tuition revenue was \$3.5 million. I don't know where you put the students, I don't know what you do with 1,000 more students. I'm not even going to ask anymore. But it is clear that you have them and it is clear that they are generating \$3.5 million in additional revenue and that that is going to go a long way to deal with any sort of budgetary pressures this year. It's certainly far beyond the \$800,000 – the 2% encumbrance – and then some. Frankly, the only real issue for John Jay, as it is for every college that generates a lot of revenue at any given time, is how you spend it, whether you spend it wisely, whether you spend it at all. There is some concern I have that as a system we not abuse the CUTRA limit that we have. CUTRA stands for City University Tuition Reimbursable Account. All that you need to remember is the term CUTRA, which means that if we generate excess revenue beyond what the State requires of us, we can roll those revenues into future years.

I am afraid that because of the high anxiety, everyone wants to develop a war chest for the war they think is coming and that may not come and that, as a result, they won't spend the money they are supposed to spend to serve the student body at any given time. So if a college says it wants to save \$2 million and bank \$2 million, that is probably all right as long as students aren't wondering where the library hours are and why the facilities are not clean, and whether or not the services are being provided. It is essential that the services are provided. If after you do that, you still feel a little concerned about the out years and decide to tuck a little of it away, that's all right but it's a balance and it's an issue of who makes the decision and everybody has priorities. You are faculty and full-time faculty want more full-time faculty and you also want more money devoted to the classroom. But, as you know, we are a lot more than faculty: we manage security, we manage custodial services, we manage maintenance and operation, and if you don't think that's an issue just go to BMCC and see what it is like to be in a building that has no vertical transportation system because of a lack of support for maintenance. Student services are critical services. And administration does matter. People need

to allocate those resources and they must do so carefully.

I say this because there is a lot of excess revenue going into the system and John Jay, having been on the diet it has been for the past couple of years just to get out of the fiscal situation it was in, is engaging in a lot of hires. I'm preparing a big mid-year financial report for the Chancellor and I have the John Jay numbers with me: over last year, we are counting 32 additional faculty positions at John Jay, 12 additional non-instructional staff, and 1 additional civil service person for a total of 45 additional full-time personnel hired by John Jay. The good thing is that you're able to do that and recover from where you were a few years ago and have a budget that is balanced, a budget that is carrying a little bit of surplus right now, maybe a little more than a little bit of surplus, and so I don't have any particular issue at John Jay except to note we would be concerned if this particular body [the Faculty Senate] is not satisfied with the way the administration is proceeding with the agreement that was established a number of years ago when you bought into the fiscal picture and the fiscal plan the College put forth. And if the College is being true to that fiscal plan, then that's terrific, it's the best of all worlds. So that is where we are as a system and this is where John Jay is today. I'll be happy to answer questions.

Senator Tom Litwack: In terms of the budget picture for next year, what is your best guess regarding the amount of its base budget each college will have to encumber next year,

Vice Chancellor Malave: Let me answer that by first saying that the only reason there was an encumbrance in the first instance was because we didn't believe the budget was balanced and so we knew that we were going to get a call letter and that we were going to get a call telling us that we would have to make an adjustment to our budget of x amount. We knew that. And so early on we said that we know we are going to get the call and so we should lay it out up front and let colleges know they really can't go ahead and spend that amount [they were allocated]. So if once the Governor issues his budget by January or early February and after the torturous process in the Legislature concludes, if at the end of that process we believe they again did what they did this year when everybody played the budget games, then we will go into next year very concerned about the budget holding. Then I would allocate a particular encumbrance against that.

On the other hand, if everybody does what they should do – that is, if everyone is honest about the figure and lays out a plan that says this is the budget – then there is no encumbrance. Then the only issue is not that there is no encumbrance but what is your budget. Forget about what you have to encumber because that budget will be a lot worse than a 2% encumbrance. Everybody wants to know what the budget is for next year and of course nobody knows that.

I indicated that I'm hopeful that somehow the flavor of City Hall travels to Albany and that the budget message is crafted that seeks to protect both *SUNY* and *CUNY* from further erosion. If I were to take these numbers – we have a \$12 million mid-year reduction – which is on top of what I forgot to mention which is **\$4.5 million** that we are supposed to save related to the Early Retirement Incentive – when they give you those numbers they often tell you to make sure you have recurring savings because these cuts have to annualize themselves. That means that because it's the middle of the year that we're taking a \$12 million hit and the additional \$4.5 million from ERI is also mid-year, that's about \$18 million which has to then be doubled [annualized].

Then I can begin to get a sense of the low end of the cut in State aid. It may be along the lines of \$50 million to \$75 million and maybe up to \$100 million reduction in State aid because the State of New York is facing what some estimate will be a \$10 billion revenue shortfall and that's on a base of

\$40 billion. The State budget is about \$85 billion to \$90 billion but half of that is Federal aid. The only aid that is generated from tax receipts and that is funneled into the general fund, as they refer to it, is \$40 billion. So there is a \$10 billion hole in that \$40 billion side of the budget. The hole is not in the Federal side of the budget that pays for many of the Federal programs that are funneled through the State. So is that the order of magnitude we are looking at? I don't know. But it does mean that it's not inconceivable that \$50 million to \$100 million reductions will find their way into the Executive Budget [issued by the Governor] and then the question for CUNY and for *SUNY* is what does it mean when someone punches a \$50, \$60, \$70 million hole in your budget.

What it means is the Governor will either have some suggestions as to how to fill that hole and tell us to look at revenue opportunities or he'll flat out say it's been 8 years since there has been tuition increase in the State and City Universities of New York and that he is now recommending a tuition increase figure of x in order to deal with this gap. Then the Legislature will weigh in to say whether they believe that to be a fair number or an unfair number or that *SUNY* and *CUNY* should look for solutions that do not include a tuition increase. In fact, I think it was *The Daily News* today, in a piece by Joanna Wassexman, that alluded to potential tuition increases. All the students are already geared up, they have been working for months, because they know the kind of talk that is out there, because they know there has been no tuition increase in 8 years and that is, in part, what has contributed, arguably, to the budget difficulties. And that is how it will play out.

And when someone punches a \$100 million hole in your budget, we, as *CUNY*, can either choose to close a few colleges or we can choose to go into retrenchment, like we did in 1995. We can do all those things, because we've done them before and, so, we're capable of doing them. I certainly hope that we don't do those things, and that we don't do what we did in 1995 which was to raise tuition and do retrenchment at the same time. If you're going to raise revenue to fill a budget gap, you should try to raise sufficient revenue so that you don't have to fire anyone while you're at it and you should try to structure the budget so you don't have to undermine various institutions.

We went through the 1990s once, in which we lost – if you start counting from the late 1980s until today – 1,000 full-time faculty. We went from 6,500 full-time faculty to 5,500 faculty. I frankly and honestly believe that we are as low as we can ever get on full-time faculty strength and anything under that really, really begins to diminish the capacity of CUNY to the point that CUNY may never recover. I would strongly argue that *CUNY* find a way, one, to avert any retrenchment – and not only retrenchment but even the talk of retrenchment, which is itself corrosive – and, two, to be straight forward and say that if this is the kind of system and university we want, these are the kinds of revenues we will need to generate in order to maintain that. And then we take it from there.

But the question for the Spring and during the Spring will be what direction that drama will take. No one really knows. I think I know but no one really knows what forces will come into play because no one expected Mayor Bloomberg and the City Council to do what they did. So it's not inconceivable that the Governor and the Legislature will say that CUNY has done a tremendous job over the past three years in really turning itself around and that the best evidence for that is that 11,000 more students came to CUNY this year and that says something about what people believe *CUNY* is capable of providing. You can't get any better indicator than the number of students who want to come to CUNY. And so I hope they take that into account.

Senator Tom Litwack: Even the potential bleakness – and I hear the potential bleakness even though I don't want to – tells me that we should save our CUTRA monies.

Vice Chancellor Malave: Sure – and I’m looking at some numbers here – if you have a few million dollars tucked away for next year and you know that the environment is going to be hard and, incidentally, it’s not going to be an environment that’s difficult for one year, it’s going to be an environment that will be difficult for two years at least, then it’s good to have some money stashed away so that you can manage without major disruptions, provided, of course, that you are providing the services for the people when they are here and are paying rather than providing those services when those people are leaving.

President Kaplowitz: Three days ago, at the Council of Chairs meeting, which I attend and at which Ned Benton was present as well as several other chairs who are here today, the Provost mentioned that there has been talk at 80th Street at both the Council of Presidents meetings, which Chancellor Goldstein chairs, and at the Academic Council meetings, which the Provost attends and which Executive Vice Chancellor Louise Mirrer chairs, about other colleges in *CUNY* wanting to offer programs that would duplicate John Jay’s currently and historically unique programs – unique within *CUNY* – as a way for those colleges to generate enrollment at their colleges. It is quite stunning that such discussions are taking place given the fact that in 1975/76 when we were forced to close all our liberal arts and science majors (except forensic science) and only offer majors that are related to our criminal justice mission the understanding was that we would not only be a special mission college but that our unique majors would continue to be unique within *CUNY*. This is very important because we are unlike, for example, Baruch, which is also a special mission college and yet was permitted to continue to this day a full range of liberal arts majors, including journalism, literature, history, and so forth.

Since you spoke to us about the importance of increasing enrollment – because, among other reasons, such a dramatic enrollment increase as 11,000 additional students is demonstrable evidence of a change in peoples’ confidence in *CUNY* and of the major and perceived changes that have taken place during the past three years – and we know that some colleges are having problems with their ability to generate enrollment, and there are discussions at 80th Street about the possibility of other colleges offering our unique majors, I’d like to ask if you have been involved in such discussions – I have no doubt you have been – and, if so, whether you would be willing to comment about this situation.

Vice Chancellor Malave: Yes, I have been in those discussions. You started off by saying that this is a policy designed to generate enrollment at other colleges. That is not what is motivating this policy discussion. And all it is right now is discussion. What is motivating this discussion is that we have two colleges in particular and we have a few others, in general – there are about 4 or 5 colleges in this system – that do not have the physical capacity to enroll any additional students. BMCC was designed for between 7,000 to 10,000 students and now has 18,000 students. I think that even after you build Phase 2, the current levels of enrollment still mean that you don’t have the capacity, and so the question is what does *CUNY* do. One of the discussions has been the fact that with regard to Baruch, we now have BBA [Bachelor of Business Administration] programs at Queens and at Lehman College and we have BBA programs at those colleges because Baruch College could not take any more BBA students. And that is the lion share of Baruch’s programs – business administration. I don’t *think* Baruch is worried that it is going to lose any enrollment.

A year or two years ago I thought about this in the following way: there are 7 colleges in *CUNY* that offer education programs and so the issue is why should we have 7 schools in *CUNY* offering education programs. The reason would have to do with the demand for education programs and with the demand for teachers and that to have all the education programs offered at only one

school would not be reasonable in a city of 8 million people. So we distributed education programs throughout the five boroughs.

What is different about the programs that are at John Jay? And why is it that we can't figure out, as a City University, how to get other facilities in CUNY to meet the demand that is out there and the interest which may be growing for the programs and the kinds of programs that are offered at John Jay in order for the need to be met? Because if you don't figure the answer for yourself, that is, if the students can't get through the doors of John Jay, then what happens to those students? Do they go to St. John's, do they go to Fordham, do they go to other places that have similar programs? For CUNY to figure this out is, I believe, more than a discussion of degree programs at other colleges but rather a discussion about the use of facilities at other CUNY colleges that could be connected to John Jay.

Theoretically you could have some of the liberal arts program components for the students who come to John Jay take place at the Queensborough campus, or at Kingsborough, or at Bronx. Those students would then go for their second, third, and fourth years to John Jay proper. And they would have a John Jay degree. But the question is whether a John Jay degree has to take place exclusively in a building that has John Jay's name on it. Or why is it that a building that has Queensborough's name on it or Kingsborough's name on it, which by the way, also has The City University of New York's name on it, if that facility is underutilized, for example, and has capacity and has classrooms for students, why shouldn't that be considered as a way of relieving some of the pressure at schools like John Jay and at schools like BMCC?

And so what the Chancellor has asked folks to think about – and all this is at this point is a discussion – is how do we do this. Do we enter into an expensive leasing of space when we have campuses that have capacity? At Medgar Evers, for example, that is at overcapacity, and at New York City Tech that is at overcapacity, and at LaGuardia Community College that is at overcapacity should we be forcing students into classrooms, increasing class size, spending for more lease space, or should we figure out how to distribute some of the programs at NYC Tech, for example, elsewhere? That is the only discussion and it is being motivated by the issue of whether we can offer quality educational services in an environment that can't fit the students.

President Kaplowitz: So, in other words, if we at John Jay developed a proposal whereby we had John Jay students and John Jay faculty and John Jay courses at a satellite, such as at another campus of CUNY, as opposed to other CUNY colleges creating replicas of our unique majors, as was done at Queens and at Lehman in terms of Baruch's BBA, such a proposal would be entertained by 80th Street?

Vice Chancellor Malave: Yes. CUNY is exploring options and some of the options may be an associate program that is fully articulated with John Jay. And some of the options may be that at one school you have that but at other schools you simply have relationships that enable John Jay faculty to teach John Jay students at those other schools. This is within the framework of an integrated university and the fact that we believe we have to figure out how to use the vast resources that we have for the people for whom we are responsible. We are responsible for the people of the City of New York and we have to figure out the best way of doing that.

President Kaplowitz: And you think that other CUNY colleges would welcome a John Jay satellite on their campuses or is it that they would have no say about it because 80th Street would mandate they do so were they to take such a posture?

Vice Chancellor Malave: I think that if colleges continue to think that they are islands unto

themselves and that they don't have any obligations to the rest of the system and to the City of New York, then yes, you will get some of that kind of response. But if they view their mission to be that of serving the people of the City and the educational system, then they should welcome the opportunity to assist their sister institutions that have great programs and expertise, if they have the capacity to do that.

Senator Liliana Soto-Fernandez: How is this concept different from the *CUNY* BA Program?

President Kaplowitz: A student in the *CUNY* BA program has a home college but can take courses, without needing a permit, at other *CUNY* colleges. But *CUNY BA* students receive a degree from The City University of New York and not from their home college nor from any *CUNY* colleges.

Vice Chancellor Malave: It wouldn't be fundamentally different from the *CUNY* BA program although it is true that with the *CUNY* BA program the degree the student receives is from *CUNY* and not from the home college. But, in principle, it is the same. In other words, it would work somewhat like the *CUNY* Honors College.

Senator Litwack: With regard to the idea that you are raising, what if John Jay faculty were teaching courses to John Jay students at a satellite located on another college campus and those John Jay students needed tutoring or counseling: where would the students go for those services?

Vice Chancellor Malave: Are you suggesting that those colleges would not have those services at their campuses?

Senator Litwack: I'm suggesting that if I'm a community college with excess space, I might be very willing to allow John Jay to use my classrooms, but I wouldn't be so eager to permit John Jay students to use my services, when my own students need those services and I wouldn't be getting any money for having those John Jay students at my campus.

Vice Chancellor Malave: I would consider that, frankly, a minor detail because if, ultimately, the issue revolves around tutors at the satellite campus not going to provide tutoring services for 10 percent of the students in their classrooms because those students happen to be connected or expect to be connected later on with a John Jay program, then I think that we couldn't do anything right.

Senator Litwack: My fundamental question is which college would that student be credited to?

Vice Chancellor Malave: I understand that is your question but I consider those to be minor details, to be the issues you work on once you, in principle, make a determination that we, as a system, will try to provide and use all the resources of the system for all the students of that system and that a student who is at one location needs to simply swipe a card for us to ascertain the reimbursable rate for the services provided at that campus, whether that be tutoring or counseling or custodial services. Is there going to be a charge back for custodial services? I consider that a minor administrative matter. I have a budget report here that says that John Jay has \$50 million. That's not John Jay's \$50 million; that's the University's resources and that's how I view the world and that's how I think people need to start thinking about it and not about how to get credited for something.

President Kaplowitz: I certainly think that if we were to have the option of having John Jay faculty teach John Jay students on another *CUNY* campus that would be far, far preferable to other *CUNY* colleges establishing what are now majors and programs that are unique to John Jay.

Vice Chancellor Malave: Having said all that, I am sure there are colleges that are thinking about doing just that.

Professor Ned Benton: The Graduate Center represents a model of how a college can deploy programs and have a delivery system that is not limited to one campus. There are mechanisms that address the ways of appropriately covering costs.

Vice Chancellor Malave: That is right. That's a good point.

President Kaplowitz: You have certainly given us a lot to think about. I'd like to thank you for answering my question about this because this is an extremely important issue for us. John Jay used to have satellite programs at various NYPD police precinct station houses and currently has a satellite MPA Program at West Point, which Ned runs. This is an issue we will certainly have to talk about at John Jay.

Vice Chancellor Malave: I am certain there will be a lot of discussion about this.

President Kaplowitz: I, too, am certain and I also know we will need to discuss this immediately – certainly before any other college comes forward with a proposal for a degree program that is unique to John Jay.

Professor Benton: I'd like to raise another issue. I am distributing a handout with regards to space planning [Attachment F]. I want to talk about the space program for Phase II. I know that this is not really in your area of responsibility but I would like to raise it because I do think it is relevant to do so. Early in my career I worked for the Department of Architecture at the University of Illinois –

Vice Chancellor Malave: Is there anything you have not done, Ned?

President Kaplowitz: Yes, Ned is truly remarkable.

Professor Benton: Anyway, one of the principles was that form should follow function.

Vice Chancellor Malave: I'd like to stop you for a second so I can say one other thing, because it is very important in the context of what we have been discussing. This is not about how we get John Jay and NYC Tech or BMCC sufficient space. It has to do with the registration grid at the University, which is the mother of all battles, as you know, in terms of the utilization of existing space. This involves the big issue of Fridays. The Chancellor tells this terrific story, which some of you may have already heard. The Chancellor was on the street at a corner of Baruch College and he had said hello to a faculty member who had been at Baruch for 25 years and as they were speaking another Baruch faculty member, who had also been at Baruch for 25 years walked by and said hello. So Matt Goldstein introduced the two faculty members to each other because neither knew who the other person was. They were both very distinguished faculty members who had been on the same campus for 25 years and, of course, each understood that one had always taught on Mondays **and** Wednesdays and the other had always taught on Tuesdays and Thursdays. [The Senate responds with laughter.] And, of course, no one ever taught on Fridays. And so the registration grid and the examination of the registration grid and the space guidelines, which I think, Ned, you are going to refer to here, is very much a **part** of the discussion as we are dealing with this enrollment management issue.

President Kaplowitz: So if a college is empty on Fridays, that will be taken into account by CUNY

when these kinds of decisions are being made?

Vice Chancellor Malave: Yes, because it is very difficult for a college to argue that **CUNY** should spend another million dollars a year to lease additional space for the college when the college does not utilize the space that it already has.

President Kaplowitz: Or when a college decides to ask another college to let it utilize its underutilized space when your college is not fully utilizing the space it already has.

Vice Chancellor Malave: That is right.

Professor Benton: One of the issues that we are going to consider at the UFS Budget Advisory Committee is the question of how the work that the **CUNY** Budget Office does informs the planning that is done by the University Planning. I'd like to illustrate to you what some of the improvements could be, based upon the situation that I see here, not that you can solve our situation – we can solve our situation – but I think you can see some of the complexities that exist.

The first page [AttachmentF-1] is where they calculate the amount of square footage that we need for faculty offices. And it is you who has the Instructional Staffing Model (ISM) to determine how many professorships a campus needs. You take into consideration whether it is an associate degree program, upper-level undergraduate courses, a graduate program, you take into consideration the various disciplines, and so forth. They have determined how to reduce this to a very simple formula: they just divide the number of FTEs by 20 and come up with an answer. It's the wrong answer and it's not an answer that provides us with any utility in terms of figuring out how many faculty offices are needed in the Science Department versus the Psychology Department. So we, in fact, have to go back and re-engineer this to determine what the correct answer is but I think it would be very useful if your shop and their shop could get together because it wouldn't be difficult for them to incorporate into their model your formulas. Then form would follow function.

If you then go on to the next page [AttachmentF-2], you see that if you follow the sixth line down in the chart, marked "faculty offices," it shows 21,000 feet in Haaren (which is this building, T Building), and 41,000 feet in North Hall and, therefore, a total of 62,000 square feet that we now have. Then on the next page [AttachmentF-3], we see that we will need 62,000 square feet of faculty office in 2005 and so basically what this model is suggesting is that between North Hall and T Building we have the correct number of faculty office space. I'm not convinced that our subjective perception is that that information is correct. And I also think that if we were to apply your model to our situation, we would get a different answer and that we would get a much more nuanced answer as to which departments need what kind of space.

Vice Chancellor Malave: Right.

Professor Benton: We were told that we are going to work with this and develop a great project in terms of Phase 2. But then if we go to the next page [AttachmentF-4] we see there are three scenarios: Scenarios A, B, and C. Scenario A is the one that we can't afford and Scenario B and C are the ones, as we understand it, would be the basis for what we would really do. Scenario A for faculty offices is 40,000 square feet, which represents replacing the faculty offices in North Hall; however Scenario B and C use the same words: three-quarters of faculty offices as flex offices will be provided for adjuncts. And that's why the 40,000 square feet that we have in North Hall becomes 30,000 square feet in the Phase 2 project. And so when we do move into Phase 2, we will have to figure out how to

move the 40,000 square feet into 30,000 square feet.

The other complication about this is that when you figure out the number of adjuncts that we need, you figure out the total amount of teaching power that we need, then you subtract the number of professors, then you convert the rest of it into the adjunct dollars so that you keep us whole in terms of teaching power. We may want more full-time faculty and fewer adjunct faculty, but in any case you've always tried to keep everyone whole in terms of teaching power. This model ought to build on the same concept but what this model does is to simply cut the total number of faculty offices and announce that the adjuncts will be in flex offices and does not provide any space for them: there is no money in this budget for the adjunct offices at all. That worked in the Graduate Center because they don't have any adjuncts.

Vice Chancellor Malave: Right.

Professor Benton: But it didn't work at Baruch where they got into the project, realized they had money in the project for faculty offices, with the adjustment, and then there was no money for adjunct offices. We know that we are going to make this project work and that we are going to sit down with the architects and be creative and figure out how to solve all these things. But I think that going forward it would be critically useful for CUNY to have the operating entity of the University speak with the planning entity so that some of the excellent techniques and formulas that we have for figuring how to live from day to day inform our long range planning.

Vice Chancellor Malave: This makes a lot of sense and it is a good question as to why, having already built Baruch, they are still using the same model. And so I will go back, if you haven't already done so Ned, and consult with [Senior Vice Chancellor & COO] Allan Dobrin and [Vice Chancellor for Building, Facility Management, and Planning] Emma Macari and discuss this.

Professor Benton: Several of us on the UFS Budget Committee thought it would be useful to invite members of the planning staff in Vice Chancellor's Office to one of our UFS Budget meetings.

Vice Chancellor Malave: Certainly, I will do that, but that doesn't mean that we shouldn't, also, start talking with Allan and Emma right away. This is important because it is the same analysis that is informing the definition of what is, indeed, a school that has space or that doesn't have space. This is important for the purposes of enrollment planning because it is based on this very same construction. And so if it is fundamentally flawed going in, we should correct it now before going ahead with an enrollment management process in which the numbers need to work. I certainly don't want to go down that road and deal with issues as to whether or not we need to build new programs or utilize space differently . . .

Professor Benton: According to this model, John Jay faculty would teach here at John Jay but you would have to provide us with faculty office space at other CUNY campuses, where space is underutilized. [The Senate responds with laughter.]

Vice Chancellor Malave: I understand. Thank you very much.

Professor Litwack: Could you fill us in on the current status of the senior college objective funding model?

Vice Chancellor Malave: On November 22 and 23, I convened a financial management conference

comprising all the financial managers of *CUNY*: there are about 115 of us. We had divided the financial managers into eight different committees and they had been working for two and a half months on those committees. Their job was to come to this conference and lay out what the plans are for a variety of issues and the senior college allocation model was high among them. All-funds budgeting was another component. They met as a group of 30 and hashed out the problems with the current model, resolved to address and correct those problems, and then made a larger presentation to the plenary group of 115. I expect, at the rate at which we are going, that the Presidents will get a model to consider in March, for the beginning of implementation effective in July. That's the timetable that we have.

The questions are: one, will the presidents do what the vice presidents have all done which is to decide that we are going to have a model. At this conference we all agreed that either we are going to have a model or we are going to play golf and nobody played golf. And so we bit some bullets and said that we're resolved to implementing the model in 2004. We have done that and now we have to get the presidents to resolve to do the same. I know the Chancellor will resolve to do the same and will encourage the presidents to do the same. So the question is what exactly do we implement and what is the phase of implementation. So you should stay tuned for a lot of discussions. [Vice President Robert] Pignatello and [Budget Director Angela] Martin were there from John Jay making sure that John Jay's interests were heard. So I **am** pretty optimistic that 2004 will do it.

Senator Litwack: Assuming, and it certainly looks likely, that there will not be an increase in funding for *CUNY*, how could the model be implemented without – I don't want to say "shifting" – without using resources that are currently assigned to the better funded colleges to improve the funding of the less well funded colleges?

Vice Chancellor Malave: Do you really expect me to answer that? [Laughter from the Senate.] There are a million ways to do this. Ned knows a million and one ways. We are going to find out how creative we can be. We are committed to doing something come July 1. It may not be aggressive and a lot will depend on ERI [Early Retirement Incentive], I expect. We have some options there. We have to consider how to allocate new full-time faculty. For example we might not get any money from the State but that doesn't mean that we won't have more full-time faculty next year. We're already committed, when we phased out the last-semester-free program, to devote that money to full-time faculty hires so I expect to be hiring more full-time faculty in July no matter what the State does. I don't think any of us are in a position that come July 1 we will be enthralled in a budget mess. I fully expect to have a budget plan that will enable us to move forward, albeit at a slower pace than we would have liked, but nevertheless moving forward and some moving forward faster than others, depending on where they stand.

Senator Litwack: Leaving aside the mechanism and leaving aside the timetable, is it fair to say that *CUNY* – or your Office – however you want to put it – is committed to funding the senior colleges equitably in terms of full-time faculty and other essential services?

Vice Chancellor Malave: The answer is that we are committed to doing that. But as you know everybody has their own way of doing this and everybody has their own definition of equity.

Senator Litwack: Yes, but pretty soon there is going to be an official definition of equity.

Vice Chancellor Malave: But we are, also, absolutely committed to the principle that we are not going to undermine any of our institutions. We're not going to do that. People **ask** which are the most underfunded institutions at *CUNY*. The top two are Baruch and Hunter. Most people don't put those

two colleges in the category of the have-nots but this model that we have puts them there. So I certainly can't envision shifting monies from one school – from, say, Brooklyn College or City College – undermining those colleges, because I think that Hunter and Baruch need more instructional support. Hunter and Baruch and John Jay and NYC Tech are the four that do need a disproportionate share of any additional resources that are allocated. But know that Baruch and John Jay are in the same boat when it comes to that need. At Baruch, 50%, if not fewer than that, of their instruction is taught by full-time faculty. Hunter is 45% to 48%. Both have a considerable number of students and a great deal of need. We are going to try to disproportionately allocate the resources. That is how we'll do it. There will be some schools that will receive zero and there will be some schools that will get something.

Senator Litwack: When you have a college like City College that is so well funded that it doesn't receive any adjunct budget whatsoever, I don't think it would be undermining them if resources they currently have available are transferred when they become available as a result of separations.

Vice Chancellor Malave: You're right but it depends whether you take one faculty line or whether you take 40 faculty lines. It does depend by what you mean by moving resources. If I move one line at \$50,000, you are right: City College will still be there. If I take 40 lines, because I could easily take 40 under your scenario, then that begins to undermine City. And just to learn a lesson from 1994, CUNY at the end of the day did nothing in terms of its efforts to do base level equity because it engaged in a process that became intensely political and ultimately it achieved zero. And I'm not interested in doing that.

I'm not interested in engaging in civil conflict among ourselves because at the end of the day no one is going to understand the numbers. To me the analogy is OPEC and gas prices. If your gas price goes up 10 cents a gallon and someone on TV tells you that the reason is OPEC, then you accept it because OPEC did it and you pay the additional 10 cents and you don't get angry at anybody. But I remember when President Carter recommended a 5-cent BTU tax – 5 cents – and the entire country went into a state of frenzy because people saw it as money going from one group to another and, ultimately, of course, there was no BTU tax and Lloyd Benson, who was chairman of the Committee, had to do something else.

That's what I mean: you can go down that road and get bloodied, get bruised, get angry with one another, curse one another and, then, ultimately, we'll have nothing. So I'm simply not going to travel that road. I'm going to do the best we can with the resources we have. There may, at the end of the day, be some redistribution, but I'm interested in a process that is not going to blow up in my face seven months from now. So that is how I'm approaching it. I'm committed to doing the right thing and will strive very hard to do that but we have to make sure that at the end of the day we get something done. If at the end of the day we don't get anything done but recriminations, then what did we do?

President Kaplowitz: I know that you believe in all-funds budgeting. Do you plan to implement the all-funds budgeting approach?

Vice Chancellor Malave: That's the other tough one. There was a big committee that tackled that issue. I don't expect it to be completed by July 1 because the priority is getting the senior college allocation model. But all-funds budgeting is clearly part of the agenda.

President Kaplowitz: I see some questioning faces, since we haven't discussed this at our Senate. Basically all-funds budgets are budgets that show not only tax-levy monies and also all non-tax levy

monies for the purpose of transparency but without punishing colleges, of course, for bringing in non-tax-levy monies, that is, without punishing them for bringing in millions of dollars through fundraising.

Vice Chancellor Malave: Right.

President Kaplowitz: Could you say something about fundraising? Are you involved in that at all?

Vice Chancellor Malave: No. But I do hope a lot of funds are raised. The Chancellor had a retreat with the presidents and he also had a retreat the previous year with them and the dominant theme was fundraising. The goal was to bring *CUNY* to where most colleges and universities are, that is, where fundraising is an integral part of the responsibility of a college president. You can not be a college president at *CUNY* and not raise funds and continue to be a college president because we are committed to diversifying the revenue stream.

One of the reasons we have a problem today is that *CUNY* either went to the State for State support or took the money from the students and never figured out any other way to generate any other revenues. We are simply not very good at fundraising. And so we are committed as a system to changing that. But that's difficult because it requires a change in the culture. It requires a lot of discussions with alumni and with alumni relations and with development efforts that have not taken hold. It does require some investments. People do say that you have to create a development office and have a director of development and a staff and that this requires money. You have to hope that for a couple of years these people are paying for themselves and then some. But at first it will require some investments at some campuses. Some campuses already have very well developed investment and development offices which generate a lot of revenue which helps support the college operations. Baruch can afford to be in the have-nots on the tax-levy side because Baruch made a big effort to generate funds and so one of the reasons Baruch does not appear to be as poor off as it is on the tax-levy side is because Baruch makes a serious effort to generate funds.

President Kaplowitz: Hunter has recently been tremendously successful in its fundraising efforts.

Vice Chancellor Malave: Hunter used to be lagging but has become active. Queens has to step up. Brooklyn also has to step up and has begun to do so having just received a \$6 million gift.

President Kaplowitz: And a recent rating as having the most beautiful campus in the country, which can't hurt.

Vice Chancellor Malave: That is true: it can't hurt at all.

President Kaplowitz: So we at John Jay need to work on fundraising, obviously. I shared with the Senate the charts from CCS about the fundraising accomplishments of the various colleges which the Chancellor shared with and reported to the Board.

Vice Chancellor Malave: I have time for one more question and then I have to get back to 80* Street.

Senator Litwack: I'd like you to help me think something through because I'm thinking about the issue you raised earlier which is very intriguing and perhaps I'm not thinking it through as well as I'd like to right now. Let's assume under one scenario that we keep taking in John Jay students but that we only limit a certain number of students to our campus here and the others go to another *CUNY* campus for at least a while but, because of the difficulty in transferring funds, there is no major reallocation of base budgets. The inevitable result would be that ultimately a smaller and smaller

percentage of John Jay students would be taught by full-time faculty.

Vice Chancellor Malave: I don't know how you came to such a conclusion.

Senator Litwack: Let's assume that the demand for our programs keeps growing **and** that next year we have not 9,600 FTEs but 10,000 FTEs and then the year after that we have 11,000 FTEs but that 3,000 of those FTEs are not at **John Jay** but are John Jay students. We have not received any significant increase in our base budget because of the difficulty of transferring resources from one campus to another. . . .

Vice Chancellor Malave: When one speaks of all-funds budgeting as a good idea for colleges, think of all-funds budgeting as a good idea for the University as a whole in terms of how we deploy \$1.5 billion in resources to meet the needs of 210,000 students with 25,000 employees. That's how I view the University. That's how I view the system. I do not under any circumstance envision a situation in which the budget for a college is diminished or that the capacity of its budget is diminished because we are deploying the resources of the University more efficiently. I just don't envision that. I don't imagine that. You can speculate about a budget condition but I don't see how you can speculate about a budget condition that diminishes resources for John Jay.

Senator Litwack: But this is what is happening now. We are increasing enrollment at John Jay and we are getting increased money because we are getting increasing amounts of CUTRA. Indeed, we get more increased money than we spend. So it's not that our resources are diminishing. Our total resources are increasing but our percentage of courses taught by full-time faculty is continually decreasing and under the scenario that you laid out, which I may not be understanding fully and that's why I'm asking –

Vice Chancellor Malave: But I haven't laid out a budget scenario. All I've laid out, merely, is the use of space on other campuses. I haven't laid out a budget structure. I haven't laid out any of that. None. I've simply laid out a proposition that if I have a classroom in Queens that is empty, and not only do I have a classroom that is empty but I have a faculty member who is not doing anything over there, but let's assume that the faculty member is a John Jay faculty member, and I could do something about the educational experience so that those students don't run off to John Jay and John Jay doesn't come up with some new capacity to meet the needs of those students because CUNY is not able to figure out how to use 20 units to the best interests of *CUNY* and of the City of New York at a modest price for those students. Because otherwise those students are going to go off and pay \$15,000 to St. John's because St. John's figured out how to get those students into classrooms that did not require pushing them into those classrooms and how to give them a full-time faculty member. That's all we're talking about here.

And at some point we'll get from this conceptual framework with the nitty gritty of budgets, which to me are just details. We need to posit that we are not meeting the needs of the people of the City of New York and then we can take it from there. And so I'm not worried about the details. Because the details get worked out, they always get worked out, they never get worked out to everybody's satisfaction, but they do get worked out.

Senator Litwack: And do you agree, then, that they should be worked out so that John Jay's percentage of courses taught by full-time faculty should not decrease but should, rather, increase?

Vice Chancellor Malave: The University's goal is to increase the faculty strength to 70% of instruction. That applies to John Jay as much as it applies to Brooklyn College, as much as it applies

to Queensborough Community College.

President Kaplowitz: I know you have to return to 80th Street. Unless you have any questions of us, I'd like to thank you so very much for coming here, for meeting with us today, for providing absolutely invaluable information, and for engaging so frankly in discussions with us, as you always do.

Vice Chancellor Malave: Thank you very, very much. It's been terrific to be here, as always.

[The Senate expressed its appreciation with sustained and enthusiastic applause.]

13. Invited Guest: President Gerald W. Lynch

President Lynch was welcomed and said he is very pleased to have the opportunity to meet with the Senate. President Kaplowitz provided a summary of the Senate's discussion with Interim Vice Chancellor Malave about John Jay offering courses at John Jay satellites on other CUNY campuses that have underutilized facilities, since we can't accommodate any additional students on our campus. She told President Lynch that although the Senate had only a few minutes to discuss the issue in the interim between our meeting with Vice Chancellor Malave and President Lynch's arrival, the Senate members are adamant that we do not want other CUNY colleges to duplicate any of our unique programs. President Lynch said he agrees completely, adding that, he is also adamant about this.

President Kaplowitz told President Lynch that Vice Chancellor Malave had said that campuses that do not fully utilize their facilities in the evening and on Fridays, as John Jay does not, would not be treated favorably. President Lynch said he has asked his senior administrators to study our classroom utilization and he agreed to instruct them to provide the President of the Senate with a copy of the report when it is completed.

The contract with Skidmore, Owings, and Merrill has now been signed. And, President Lynch said, ever since 9/11, John Jay is the golden college as is shown by our enrollment growth, and he has been looking at the issue of Friday classes as a way of dealing with the interest so many students have in enrolling at our College. He said other CUNY presidents have told him that courses on weekend evenings are particularly popular, because students attend courses on Friday and Saturday nights and then go out to party afterwards. He said faculty might not want to give up their weekend evenings and they would not be pressured to do so, but the students seem not to mind doing so.

President Lynch added that he does not favor the idea of John Jay satellites on other CUNY campuses which have underutilized facilities: he said this would lead to attrition of John Jay's enrollment. He prefers being creative and flexible about the use of time and space on this campus. He said Robert Pignatello, Richard Saulnier, and Roger Witherspoon are working on what we could do along this line. He said he has been told that students will not take first-period classes, but he said that we had all had to attend 8:00 AM classes when we were students because we simply were given no choice and if we schedule those courses which students must take during the first period, students will take them. He said with such a plan we could tell the Chancellor that we do not need to have our courses taught on other campuses. He said the Buildings & Grounds Department has a wonderful space on the 5th floor of T building which it doesn't need and we could build 5 or 6 new offices there.

Senator Carol Groneman said she does not think teaching on Fridays is seen by our faculty as a contractual issue, and she does not think that Friday classes would have to be taught only by new

faculty. She also reported the discussion we had earlier in our meeting about changing the schedule of class periods, so that students who work until 5 PM can more easily attend evening classes, which they can't do now because 7th period begins at 5:00 and the next class begins at 6:25. She noted that TSP courses begin at 5:30 PM and that period and the following one are always fully subscribed.

Senator Litwack said that Phase II is planned for 8,000 FTE students although we already have 9,600 FTEs and that if we continue taking in all the students who want to come here, we will have more than 11,000 FTE students in a space that is for 8,000 FTEs. President Lynch said that he has heard Senator Litwack speak about this issue many times. Senator Litwack replied that this is, in fact, true but that he has yet to hear President Lynch's response and would very much appreciate hearing it. President Lynch said he would give his answer once again, which is that we will design the best facility possible and that we just have to hope for Phase III, about which Vice Chancellor Macari has been speaking all this year. Senator Litwack asked President Lynch what he thinks the maximum number of students Phase II should be built for. President Lynch replied that it should be built for as many students as we can get the funding for. He said funding has just been added to the Phase II budget and if we could get more funding he would want to build a Phase II that it is large enough to accommodate all our students. But, he added, we are not, of course, going to get that much funding. President Lynch said he wants John Jay to be the golden college.

President Lynch noted that the Chancellor has suggested differential tuition for various graduate programs and, therefore, John Jay could decide to charge higher tuition for those of our master's programs that are in **high** demand. President Lynch said the positive side of this proposal is that we would be permitted to keep the additional revenue that would be raised by the additional tuition. The negative side and the reason he does not at present favor differential tuition is that it might result in master's programs which lack diversity, which he does not want.

President Kaplowitz said she is very disappointed by the fact that John Jay was not permitted to participate in the CUNY Honors College, as we were scheduled to be this semester: Lehman and Staten Island were added this semester and John Jay was also supposed to be but was not. President Kaplowitz asked President Lynch's assessment of the situation, adding that she has been told by people at 80th Street that not enough students who apply to John Jay meet the criteria to enter the Honors College. Vice President Dombrowski said this is a Catch 22 because if we were to participate in the CUNY Honors College we would attract more students who have an excellent academic record but because we don't participate, those students interested in the Honors College apply to the seven CUNY colleges that are part of this initiative that provides them with full scholarships, laptops, special seminars, a \$7,500 cultural passport, and so forth.

President Lynch said that at this very moment we are looking at how many of the students who are now applying to John Jay have the SAT scores necessary for the Honors College. He added that Richard Saulnier thinks we have enough qualified students to enable us to be included in the CUNY Honors College. President Kaplowitz suggested we consider using some of the CUTRA money (from our increased enrollment) to provide academic scholarships to academically outstanding students. She said at least one CUNY college offers full tuition scholarships every year to every student in their honors program (a program which long preceded the Honors College). President Lynch said he has been putting his efforts into fundraising and, in fact, the College raised \$11,000 last night. Senator Edward Davenport asked if there is anything the faculty can do to help. President Lynch said the faculty can continue to speak to 80th Street about correcting our College's underfunding by CUNY.

Senator Edward Davenport said he wants to support Senator Groneman in saying that our faculty are in support of Friday classes and in support of improved utilization of classroom space and

he asked what the faculty can do to help in this area. President Lynch said the faculty can look at plans as they are proposed and talk them through with Dean Richard Saulnier. President Lynch said that we worked as a community when we were looking at the associate degree program and deciding whether to close the program or raise admission requirements and that we should emulate that process in addressing this issue.

Senator Carol Groneman asked plans to provide our students with a second summer session, noting that Christopher Santana and Frank Balducci of the Student Council came to the Senate, at their request, to discuss this with the Senate. President Lynch said the College administration is looking at this idea but the College is very understaffed, especially because we lost HEOs ~~and two~~ senior people in Financial Aid to the Early Retirement Initiative. The problem, he said, is that staff have to take their vacation when their children are not in school, which is during the summer.

14. Celebration of Professor Jill Norgren [AttachmentB]

President Kaplowitz read the Resolution of celebration and appreciation from the Senate to Jill Norgren [AttachmentB]. The Senate applauded Jill at great length and with great enthusiasm. Jill expressed her pleasure and her appreciation of the honor.

By a motion made and carried, the meeting was adjourned at **4:15 p.m.**

Respectfully submitted,

Edward Davenport
Recording Secretary

&

Jodie Roure
Associate Recording Secretary

&

Kirk Dombrowski
Vice President

ATTACHMENT A

November 22, 2002

Dear colleagues,

Last evening, *CUNY* Interim Vice Chancellor for Budget and Finance Ernesto Malave sent the following letter to the College Presidents about *NYS* budget developments.

November 21, 2002

To: College Presidents

From: Interim Vice Chancellor Ernesto Malave

Subject: New York State Budget Developments

I write to advise you of new developments regarding the University's spending authority in the current fiscal year. The State Division of the Budget has written to all State agencies regarding the continuing financial pressures in New York and the risks to the State's financial plan (see attachment letter).

The letter directs agencies to consider actions that can be implemented administratively to achieve savings of 5% in the General Fund for remaining state operations spending in the current fiscal year. Such actions, were they to be implemented, would amount to approximately \$12 million in savings and would be limited to the senior colleges.

As you know, in the beginning of this fiscal year, the University established a 2% encumbrance in senior college allocations to guard against budget pressures we were facing in our fringe benefit and energy budgets, and out of concern that mid-year adjustments were possible if the economic conditions deteriorated. Thus, you have all prepared financial plans for the year that position your colleges to fulfill existing obligations and at the same time respond to potential reductions.

On a related matter, the State Budget Division has worked closely with the University Budget Office to address the University's most significant budget challenge -- the fringe benefit shortfalls that developed last year and have continued into the current year. I am pleased to report that we can now cover our projected costs in the current year and will not need the use of the 2% encumbrance for this purpose. Please note, however, that this solution does not cover the costs in FY2004 and beyond and thus the matter remains a high priority item in our 2004 Budget Request.

We will continue to monitor these new developments closely. Under separate cover, I will be sending the colleges guidelines on how we will manage resources for the remainder of the fiscal year and how we will position ourselves to address the FY2004 budget concerns.

Please call if you have any questions or need additional information.

cc: Chancellor Matthew Goldstein
Senior Vice Chancellor Allan Dobrin
Cabinet

ATTACHMENT A (cont)

This is the letter referred to in VC Malave's November 21 letter to the Presidents. The letter, which is dated November 19, 2002, but was received in the Office of the Chancellor on November 21, is from Carole E. Stone, the Director of the *NYS* Division of the Budget and is addressed to Chancellor Goldstein:

.....

Dear Chancellor Goldstein:

In September, I wrote to you regarding the financial challenges we must confront next year due to the continuing impact of September 11th, the ongoing national economic slowdown and other factors. Since that time our staffs have begun to work together to develop recommendations for the upcoming year that maximize savings, reduce costs and sharpen your agency's focus on its core mission. Please know that I appreciate the attention you have given to this important task.

Since then, and as noted in the recently released mid-year Financial Plan update and Annual Information Statement (*AIS*) it has become increasingly clear that the challenge we face during the last half of the current fiscal year, and in the year ahead, is likely to be more daunting than we had originally envisioned. For the past few months, the Division of the Budget has been cautioning that the slow pace of the national economic recovery and continued retrenchment in the financial services sector pose heightened risks to our revenues, both this year and beyond. While it is still not possible to accurately quantify those risks, we must be prepared to manage any revenue shortfall that does arise.

Therefore, I am asking that you prepare to accelerate implementation of the proposals that are being developed for the 2003-04 Executive Budget to maximize savings in the current fiscal year and that you develop more aggressive proposals for next year. Your ideas will be considered as part of a series of approaches the Division is preparing in the event that budget shortfalls develop in the current fiscal year, as well as for the 2003-04 Executive Budget. These additional current year planning options were noted in the Division's recent update to the Annual Information Statement.

As you develop these current year recommendations, you should consider actions that can be implemented administratively and can help achieve General Fund savings totaling a minimum of 5 percent of your agency's remaining state operations spending for the current year. It is critical that the savings these actions produce either recur or grow in 2003-04. You should also place particular focus on reducing your agency workforce by taking maximum advantage of the retirement incentives that were enacted earlier this year.

It is important that we work together to take this prudent step to guard State finances for the remainder of this fiscal year and prepare for a difficult fiscal year ahead. Please submit your recommendations for current year administrative actions to my office no later than November 29, 2002. Your budget examiner will be in touch with you shortly to offer assistance in preparing this submission, as well as to discuss proposals that require legislative action and those for consideration as part of the 2003-04 Executive Budget.

While the task before us remains a demanding one, we have successfully worked together in the past year to meet extraordinary and unprecedented challenges and the Governor and I know that we can continue to rely on your leadership, wisdom and creativity in the months ahead.

Sincerely,
Carole E. Stone

ATTACHMENT B

JOHN JAY FACULTY SENATE

RESOLUTION OF GRATITUDE AND AFFECTION FOR

PROFESSOR JILL NORNGREN

WHEREAS, Professor Jill Norgren was instrumental in the creation of our current Faculty Senate, helping during the mid-1980s to organize the faculty, to develop a structure permitting departmental and at-large representation of full-time and adjunct faculty on the Faculty Senate, while also providing a creative solution for interweaving faculty representation on the College Council and on the Faculty Senate, and

WHEREAS, Jill Norgren, serving as the first President of this Faculty Senate, from 1986 to 1988, established respect and credibility for the Senate from its inception through her remarkable leadership and through her inspired proposal that the Senate issue detailed attribution minutes, through which Senators and guests speak on the record, for attribution, enabling the reasons and reasoning of the Senate's proposals, concerns, recommendations, and resolutions to be fully understood, and

WHEREAS, Jill has served as a member of the Faculty Senate since that time, except for those periods when she was on leave from the College, and

WHEREAS, as a member of the Senate, Jill has provided probing questions, insightful suggestions, courageous but responsible proposals, and untiring support of the subsequent officers of the Senate, and

WHEREAS, Jill is retiring from the College at the end of the Fall 2002 semester, therefore be it

RESOLVED, That the Faculty Senate expresses its profound admiration, debt, and appreciation to Jill Norgren for her continuous and exemplary contributions and support of the Senate and of its work, and be it further

RESOLVED, That the Faculty Senate expresses its tremendous affection for Jill and its profound sense of loss at Jill's retirement from the Faculty Senate by virtue of her retirement from the College, and be it further

RESOLVED, That the Faculty Senate declares Jill Norgren an extraordinary colleague who has the deep and abiding respect and gratitude of the John Jay Faculty Senate, and be it further

RESOLVED, That the Faculty Senate designates Jill Norgren Faculty Senator Emerita and Faculty Senate Luminary.

APPROVED BY UNANIMOUS VOTE OF THE FACULTY SENATE

DECEMBER 6, 2002

ATTACHMENT C

Proposed Resolution on Associate, Baccalaureate, and Graduate Student Enrollment

WHEREAS, The Faculty Senate adopted a Resolution on September 25, 2002, calling on the College Administration to stabilize John Jay's enrollment at its current, Fall 2002, level and that, further, the College administration work toward reducing enrollment, and

WHEREAS, There are numerous and equitable ways to manage enrollment to achieve this goal, and

WHEREAS, The planning for Phase II, which is about to begin, will be based on the needs and size of our projected student body, those needs being very different for associate degree students as compared to upper level baccalaureate and graduate students, and

WHEREAS, CUNY more richly funds graduate and 300-level and 400-level courses than it funds 100-level and 200-level courses and yet John Jay offers a disproportionate number of 100-level and 200-level courses – approximately 66% of its entire course offerings – despite its extreme underfunding, and

WHEREAS, John Jay has long had a policy agreed upon by the Administration and the Faculty Senate of admitting a minimum of 75% of its freshmen class as baccalaureate degree students and a maximum of 25% of its freshmen class as associate degree students, and

WHEREAS, This policy is not currently being implemented by the John Jay Administration, with the Fall 2002 semester marked by 2,500 freshmen applicants being admitted, of whom 62% were admitted to the associate degree program, and by 2,200 freshmen enrolled, of whom 57% were associate degree students, and

WHEREAS, several CUNY community colleges have room for students now admitted to our associate degree programs and many of these colleges are much better funded than John Jay, and

WHEREAS, The retention and graduation rates of John Jay's associate degree students are markedly lower than those of students admitted to our baccalaureate degree program, and

WHEREAS, John Jay could permit students who complete a certain number of college credits at a community college and who, otherwise, satisfy *CUNY* and John Jay requirements for transfer to John Jay to transfer to John Jay if they still wish to major in our programs at that time, and

WHEREAS, When Baruch College began exceeding its ability to meet student demand for its unique programs, some of those unique programs were proposed by Queens College and by Lehman College, and were approved by the CUNY Board of Trustees, and

WHEREAS, It is in John Jay's best interests to not be in a position where we cannot meet the interest of potential students, because such a position could lead to the creation by other colleges, with the approval of the *CUNY* Board of Trustees, of programs currently unique to John Jay, therefore be it

RESOLVED, That the Faculty Senate recommends that overall graduate and baccalaureate enrollment be increased to the extent practicable and commensurate with the maintenance of proper admission standards, and that, to an extent consistent with legitimate financial needs, associate degree enrollment be significantly decreased through enrollment management whereby the College henceforth admits far fewer associate degree students and recruits and admits more masters's, baccalaureate degree, and upper-level transfer students, and be it further

RESOLVED, That the Faculty Senate shall transmit this Resolution to the President of John Jay College of Criminal Justice and to other appropriate persons.

ATTACHMENT D

December 4,2002

To: Karen Kaplowitz, President, Faculty Senate

From: Rubie Malone, Chair of the Middle States Committee

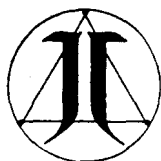
Re: Faculty Senate Participation in the Middle States Process

This memo is to acknowledge receipt of the Faculty Senate's input into the Middle States process. The Middle States Steering Committee welcomes input from all quarters of the College, individuals, groups, and official college entities (Council of HEOs, Council of Chairs, the Faculty Senate, etc.)

While the Steering Committee appreciates the Senate's input, please be advised that the Senate's input offers little analysis of the particular issues that the Senate refers to. If analysis can be provided in written form it would be helpful and will be considered. The Steering Committee is still looking at all input fi-om the various entities in the college at this time. It is believed that all of this input adds strength to the document.

By the way, as you can see by the list given to the Senate during my visit on November 20,2002, a vast majority, who serve as members of the Middle States Committees, are faculty. Thus, the faculty has had an overwhelming influence on the document; it is expected that faculty will also play a major role in putting the Middle States Process into action. This will serve our college in the best possible fashion in the future, especially as we move into the new era of outcomes assessment.

ATTACHMENT E



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

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

December 7, 2002

To: Dean of Planning Rubie Malone
Middle States Steering Committee

From: Professor Karen Kaplowitz
President, Faculty Senate

Re: Your Memo of December 4, 2002

Dear Colleagues,

I and my colleagues on the Faculty Senate were surprised by your Memorandum of December 4, 2002, on behalf of the Middle States Steering Committee, in response to the Faculty Senate's November 30 letter to the Steering Committee about the Draft Report of the Middle States Self-Study.

The Senate voted unanimously at its meeting on Friday, December 6, authorizing me to write to the Steering Committee, summarizing the Senate's discussion about our efforts to help improve the Report and our reasons for our reaction to your Memo.

We regret the Steering Committee did not find our efforts to suggest ways to improve and strengthen the Report for the good of the College to be worthy of the Steering Committee's consideration unless the Senate itself were to write the analysis.

It is the Senate's unanimous agreement that for the Steering Committee to respond to the Senate's letter with a statement that the Senate should provide the missing analyses was surprising for a number of reasons: to begin with, the Self-study Committees and the various administrative offices of the College are the ones in possession, or certainly should be, of the data that are necessary for analysis.

Furthermore, there was an implicit assumption by the Senate that much of the analysis that the Senate unanimously agreed was missing was, as one of our Senators described it, on the "cutting room floor"; in other words, that in the effort to condense the Report or, perhaps, for other reasons, various passages of analysis that had been written by the Self-study Committees were subsequently deleted and the Senate was recommending, were that the case, that the Steering Committee consider restoring those passages of analysis in order to improve and strengthen the Report.

Furthermore, the Senate was providing what we considered a helpful and, indeed, a valuable role: as one Senator said on December 6, the Senate played the important role of colleagues who are asked to review a manuscript that the author may have been too close to and lived too long with to view objectively and, thus, are asked to serve as the objective readers who might notice omissions or

ATTACHMENT E (cont)

shortcomings. But such colleagues would never be then asked by the author to actually write the missing sections especially since it is the author who has or should have the data required for such work; rather the author would consider the colleagues' comments and act, as the author deems appropriate for the good of the manuscript, with that commentary in mind.

Dean Malone, when you asked to meet with the Faculty Senate on November 20, you said it was to discuss the process and the role the Senate could play. The Senate was pleased that you, Dean James Levine, and Dr. Judith Bronfman met with us that day. The message we heard repeated from all three of you at our November 20 Senate meeting was that the Middle States Self-study Report must not be descriptive but rather must be analytical and that the Senate could help make the Report as good as possible by responding to the Draft Report with that imperative as the Senate's guiding principle.

Having learned at that November 20 meeting (although a few of us learned the previous day on November 19) that comments were due by December 3 (with the 4-day Thanksgiving break coming in between), the Senate decided to hold a special meeting the afternoon before Thanksgiving, on Wednesday, November 27. Because we wanted to provide the Steering Committee with as much time as possible prior to Dr. Kennedy's visit on December 11, we held that meeting, with the agreement that, if necessary, the Senate would continue its discussion on December 6, and you and the Steering Committee graciously agreed to schedule another meeting on December 9 should such a meeting be necessary.

At our meeting of November 27, the Faculty Senate did exactly what we had been asked to do: we considered each chapter in terms of whether the report was descriptive or analytic. We selected areas that we deemed especially important in light of that question, which you had framed for us, and we identified areas that we unanimously believed to be insufficiently analytic or entirely lacking any analysis. There were many additional topics that many of us planned to identify at our Friday, December 6, meeting, including the necessity, in our opinion, of analyzing the College's use of classroom space, especially on Fridays, and other related issues.

However, on December 6, given the press of other extremely important Faculty Senate business, including a visit with CUNY Vice Chancellor for Budget and Finance Ernesto Malave and then with President Lynch, for which much preparatory discussion was necessary, combined with the apparent reluctance of the Steering Committee, according to your Memo, to consider suggestions from the Senate unless those suggestions were accompanied with supporting analyses, no further recommendations to improve the Report were voted on at our December 6 meeting.

We do appreciate the work all of you have engaged in. Many of us on the Senate, including myself, served on Self-study Committees and one of our members chaired a Self-study Committee. We are all committed to not only gaining re-accreditation but to providing our College with a blueprint for the next 10 years to help us become the best college we can be and also for making the case to the CUNY Central Administration, through the Self-study Report, of the College's need for fiscal and other forms of support to help move the College toward excellence in all areas and in all endeavors.

Sincerely,



Karen Kaplowitz
President, Faculty Senate

Faculty Offices and Faculty Support Functions 1994-95 and 2004-05									
John Jay College of Criminal Justice									
			Number of	Number of	CUNY	CUNY	CUNY		
		Student	Regular	Regular	Space	Space	Space	Faculty	
		to	Full-Time	Full-Time	Standard per	Standard per	Standard	Office	Faculty
Year	FTEs	Faculty	Faculty	Music	Faculty	Music Faculty	per Faculty	NASF	Support
		Ratio	Positions	Positions	Office	Office	NASF	inc Music	NASF
					NASF	NASF	NASF		
1994-95	6,956	20.0 to 1	345	3	120	160	40	41,880	13,920
2004-05	10,334	20.0 to 1	514	3	120	160	40	62,160	20,680
Footnotes									
a. Source for Student to Faculty ratio is the Teaching Load Report Fall 1993, University Budget Office.									
b. Source for Music Faculty PTEF Teaching Load Analysis, Fall 1994.									
c. CUNY Space Standard does not recognize extra space for Music faculty, but elsewhere in public higher education in the United States this need is recognized, usually by 40 NASF of additional space per station to allow for a piano or other large faculty instruments in the faculty office. It is recognized as a standard of 160 NASF for Music faculty, therefore, be utilized in this analysis.									

Source: CUNY Central Administration

Summary of Campus Space Needs Pursuant to CUNY Space Standards							
John Jay College of Criminal Justice							
Space Types	Existing Owned Space			Space Needed		Space Needed	
				CUNY standards	Minus Owned		
	Harren Bldg.	North Bldg.	Total	1994-95	2004-05	1994-95	2004-05
	NASF	NASF	(a + b)	NASF	NASF	(d - c)	(e - c)
	a.	b	c	d	e	f	g
Classrooms, Lecture	23,599	34,028	57,627	62,095	92,569	4,468	34,942
Classroom, Support	570	1,198	1,768	3,105	4,628	1,337	2,860
Instructional Labs	6,869	20,873	27,742	39,507	55,487	11,765	27,745
Self-Instructional Labs	Inc above	Inc above	Inc above	Inc above	Inc above	Inc above	Inc above
Lab support Storage and Research	5,277	4,209	9,486	24,017	33,938	14,531	24,452
Faculty Offices	21,908	41,099	63,007	41,880	62,160	-21,127	-847
Faculty Offices Support	2,397	6,828	9,225	13,920	20,680	4,695	11,455
Faculty Research	0	0	0	8,870	13,261	8,870	13,261
Subtotal Instructional	60,620	108,235	168,855	193,394	282,723	24,539	113,868
Library	49,235	0	49,235	71,183	84,739	22,948	35,504
Physical Education	44,322	0	44,322	44,322	48,072	0	3,750
Assembly	17,111	130	17,241	47,670	55,030	30,429	37,789
Student/Faculty Services	5,505	46,011	51,516	73,038	108,507	21,522	56,991
Instructional Resource Centre	0	135	135	24,920	29,920	24,785	29,785
Administrative Offices	27,780	16,573	44,353	41,736	62,004	-2,617	17,651
Administrative Office Support	Inc above	Inc above	Inc above	Inc above	Inc above	Inc above	Inc above
Data Processing	0	4,620	4,620	12,600	16,800	7,980	12,180
Campus Services	14,033	6,098	20,131	33,585	45,395	13,454	25,264
Unassigned Spaces	0	130	130	0	0	-130	-130
Vacant Unusable*	0	25,127	25,127				
Subtotal Usable Support	157,986	73,697	231,683	349,054	450,467	117,371	218,784
Total Usable NASF	218,606	181,932	400,538	542,448	733,190	141,910	332,652
Footnotes							
* Vacant Unusable space is old library space and is not included in totals.							
c. Total Existing Owned Space is sum of columns a-b.							
d & e. Summary of previously generated work.							
f. Column d minus c.							
g. Column e minus c.							

Scope Scenarios for Phase II Building Program Assuming 10,334 FTES in Year 2004-05			
John Jay College of Criminal Justice			
Space Types	Scenario A	Scenario B	Scenario C
	(c - a)		
	h	i	j
	North Hall sale	North Hall sale	North Hall sale
	Phase II replaces North Hall & builds full complement	Phase II replaces North Hall & builds modified complement	Phase II replaces North Hall & builds modified complement
	e	**	***
Classrooms, Lecture	68,970	53,511	53,511
Classroom, Support	4,058	2,676	2,676
Instructional Labs	48,618	34,746	48,618
Self-Instructional Labs	Inc above	Inc above	Inc above
Lab Support Storage and Research	28,661	28,661	28,661
Faculty Offices	40,252	30,189	30,189
Faculty Offices Support	18,283	10,063	10,063
Faculty Research	13,261	13,261	9,946
Subtotal Instructional	222,103	173,107	183,664
Library	35,504	35,504	6,000
Physical Education	3,750	3,750	3,750
Assembly	37,919	20,000	20,000
Student/Faculty Services	103,002	77,252	77,252
Instructional Resource Centre	29,920	29,920	29,920
Administrative Offices	34,224	34,224	34,224
Administrative Office Support	Inc above	Inc above	Inc above
Data Processing	16,800	16,800	16,800
Campus Services	31,362	31,362	31,362
Unassigned Spaces	0		
Subtotal Usable Support	292,481	248,812	219,308
Total Usable NASF	514,584	421,919	402,972
Total GSF	791,668	649,106	619,957
Footnotes			
* Scenario A - North Hall sale. Phase II replaces North hall and builds full complement.			
** Scenario B - North hall sale. Phase II replaces North Hall and builds modified scope.			
Classroom utilization is increased from 30 to 35 hours a week, increasing efficiency 17%.			
Lab utilization is increased from 24 to 30 hours a week, increasing efficiency 25%.			
3/4 of additional required faculty offices provided, as flex offices will be provided for adjuncts.			
20,000 NASF of Assembly provided.			
3/4 of additional required Student/Faculty Services provided.			
** Scenario C - North hall sale. Phase II replaces North Hall and builds modified scope.			
Classroom utilization is increased from 30 to 35 hours a week, increasing efficiency 17%.			
3/4 of additional required faculty offices provided, as flex offices will be provided for adjuncts.			
3/4 of additional required faculty research provided.			
Three reading rooms provided for library space, with electronic smart carts connected to Main Library. Assumed increased CD ROM and electronic library materials due to subject matter.			
20,000 NASF of Assembly provided.			
3/4 of additional required Student/Faculty Services provided.			