

Faculty Senate Minutes #240

John Jay College of Criminal Justice

Wednesday, February 19, 2003

3:15 PM

Room 630 T

Present (26): Yahya Affinnih, Desmond Arias, Orlanda Brugnola, Effie Cochran, Richard Culp, Edward Davenport, Kirk Dombrowski, Joshua Freilich, Michele Galietta, Amy Green, Carol Groneman, Robert Hair, Judith Hawkins, Karen Kaplowitz, Andrew Karmen, Tom Litwack, Amie Macdonald, Evan Mandery, Adam McKible, Lorraine Moller, Edward Paulino, Cary Sanchez, Ellen Sexton, Francis Sheehan, Margaret Wallace, Robin Whitney

Absent (12): Marvie Brooks, Leslie Chandrakantha, Janice Dunham, **Ann** Huse, Max Kadir, Kwando Kinshasa, Gavin Lewis, Rick Richardson, Jodie Roure, Carmen Solis, Liliana Soto-Fernandez, Davidson Umeh

Guests: Professors Ned Benton, Mark McBeth

Agenda of the February 19, 2003, meeting

1. Announcements from the chair
2. Adoption of Minute #239 of the February 4, 2003, meeting
3. Proposed Joint Resolution of the Senate and Chairs on class size and course cancellation policies:
4. Proposed recommendation to the Student Council about its proposal for a second summer session
5. New business

1. Announcements from the chair

Professor Chris Knight (English) won the election for the vacant at-large adjunct representative position on the Faculty Senate for the term ending May 2003.

2. Adoption of Minute #239 of the February 4, 2003, meeting

By a motion duly made and carried, Minutes #239 of the February 4 meeting were approved.

3. Proposed Revised Joint Proposal of the Senate and Chairs on class size and course cancellation policies [Attachment A & B]

The Faculty Senate, on February 4, amended and approved the Proposal in principle by unanimous vote [see Minutes #239] and the Council of Chairs, on February 5, further amended the Proposal and then approved it, in principle, without dissent. Both bodies agreed to revisit the Proposal at their subsequent meetings. Yesterday, on February 18, the Council of Chairs further revised the Proposal and approved it by unanimous vote. It is now before the Senate. If the Senate also approves the Proposal, it will be submitted for inclusion on the agenda of the March 19 meeting of the College Council, the deadline for which is March 2.

Professor Ned Benton explained the changes made by the Council of Chairs to the Proposal on class size and course cancellation. He explained that rather than setting fixed caps for all courses, the revised Proposal provides for a range of caps which apply under differing circumstances. He explained that in order to prevent the Proposal about credit for overenrolled courses from becoming an incentive for Chairs to create many extra-large sections, the Council of Chairs decided that only the first four students overenrolled ~~will~~ count **as** a credit to the department.

Senator Orlanda Brugnola asked about the "window of opportunity" discussed by Professor Benton. He explained that sometimes when a Chair is told that a course has been canceled, the Registrar immediately puts the cancellation into place and then the Chair has no possibility of appealing the cancellation. The Proposal provides a window within which the Chair **must** be notified and within which the Chair has the possibility of appealing the cancellation.

Professor Benton explained that this proposal is connected to the planning for phase II that is now taking place. He said decisions have to be made **as** to how many very large classrooms we need in the new building versus how many smaller classrooms and, because there is a limited amount of space in Phase II, every large classroom that is built will reduce the total number of classrooms possible and, thus, will reduce the total number of instructional opportunities possible.

Senator Desmond **Arias** suggested providing a projected budget with the proposal. Professor Benton replied that the group that worked on the revisions suggested by the Senate and by the Chairs – himself, Harold Sullivan, Karen Kaplowitz, Kirk Dombrowski and the other members of the Senate Executive Committee – felt that was not, in fact, necessary because the proposal provides that if the administration thinks there would be dire budgetary consequences **as** a result of enforcing this policy, there is a process by which they would discuss this with the faculty.

Senator Evan Mandery asked for an explanation of the incentive for faculty to teach a course in the underutilized class periods. Professor Benton said that the proposal eliminates an existing disincentive which is that courses given at the less popular time periods usually draw fewer students and are, therefore, the most likely to be cancelled for reasons of underenrollment.

President Kaplowitz talked about the direct relationship between class size and decisions that must be made soon about Phase II classroom design and planning and that, because of this, the timing is critical in terms of presenting the proposal at the College Council at its next meeting. Professor Benton said the goal is to build the most efficient set of classrooms to accommodate the size classes we will actually have. President Kaplowitz noted that new faculty are stunned to find themselves teaching 4 sections of 46 students each and that we need to make the workload such that

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we can retain the excellent faculty we have. She also reported that some recent retirees cited large class size as a major factor in their decision to retire early, earlier than they had necessarily wanted to retire, which is a great loss to the College. Senator Robin Whitney suggested that improved retention and graduation rates are additional reasons to support this proposal.

Senator Lorraine Moller suggested presenting the two-part proposal in two stages, proposing and implementing the first part and later the second part. Professor Benton explained that one part is a statement of principle and the other is a way to implement the new policy and that the two parts require each other.

President Kaplowitz asked how many faculty members have had the unfortunate experience of developing new courses or preparing courses they had never previously taught, only to have the course cancelled prior to arena registration. Many Senators indicated that this has been their experience.

Professor Evan Mandery questioned the notion that small class sizes are necessarily pedagogically better unless they are truly small. He said he does not believe that the difference between a class of 44 students and 34 students results in a difference in terms of student learning whereas the difference between a class of 34 students and a class of 10 students does. He said he would like the possibility of very large lecture courses to enable faculty to also teach at least one very small course.

Senator Litwack said that overall this is a great proposal, adding that it is impossible to develop a proposal that would take into consideration all contingencies.

Senator Litwack asked why the document defines over-enrollment as a certain number beyond the secondary limit. Professor Benton explained that the secondary limit is usually reserved for late enrollees who have truly compelling reasons to take the course during that semester. Senator Litwack raised concerns about the part of the proposal that gives the College Budget Committee, rather than the President, authority to make decisions about the implementation of the policy. Professor Benton explained that the proposal offers a policy framework within which decisions would be made. He said it is important to have a proposal that properly gives the faculty a true say in these matters. Senator Litwack added that it is his considered opinion that the College Council does have the power to approve and enforce this proposal.

Senator Francis Sheehan said he considers the document masterful. He pointed out, however, that when there are too many students for a single section, but too few to run a second section, strict class caps may lead the Provost to decline to run that additional section, with this policy as the rationale. He is especially concerned about prerequisite courses when another prerequisite section will not be offered before the next higher-level course is offered. The Proposal was amended to address Senator Sheehan's concerns.

Senator Mandery said that having faculty involvement in decisions regarding course size and course cancellations is a worthy goal and cause. He reiterated that he does not see a pedagogical argument for the minor reductions in class-size that are being proposed. He said he would find it outrageous if the Phase 2 classroom program did not provide any spaces for true seminar courses, that is, very small courses. Language to address Senator Mandery's concerns was added.

A motion to approve the amended Proposal and to submit it for inclusion on the agenda of the March meeting of the College Council carried by unanimous vote [Attachment A].

A letter will be Written to President Lynch urging him to endorse the Proposal when it comes before the College Council in March [Attachment B]

4. Proposed recommendation to the Student Council about its proposal for a second summer school session

It was reported that the Library supports a second summer session conditional on the additional funding required to staff the Library is provided. The additional funding is also needed for Counseling and for SEEK Counseling during a second summer session. The Senate approved the following Resolution:

Whereas, The Faculty Senate of John Jay College of Criminal Justice, on November 20, 2002, approved, in principle, the proposal of the John Jay Student Council that a second summer school session be offered at John Jay, and

Whereas, The Faculty Senate today reaffirms its approval, in principle, conditional on sufficient additional resources being provided to the Library and to the Counseling and SEEK Counseling Departments as are needed to support a second summer school session, therefore be it

Resolved, That the Faculty Senate recommends to the Student Council that it submit its proposal for a second summer school session to the College Council for its consideration and action at the College Council's next meeting on March 19, 2003.

5. New business

Professor Mark McBeth (English) made a presentation about the CUNY College Proficiency Exam (CPE) policies and dates, explaining that he is John Jay's CPE coordinator. The main issue, Professor McBeth said, is that when students are eligible to take the exam many do not take the test and failure to take the exam counts as a failing grade. Because a student may fail the exam only twice before passing it, this is important information that students must receive. Students who fail three times (or fail through forfeiture, that is, by not taking the exam) may file an appeal and may be granted a fourth chance, but the problem is that if the student then does take the exam and truly fails it, the student may not again appeal and will not be permitted to stay in the University. Professor McBeth distributed literature about the exam, including testing dates, explaining that the exam is given over a series of days, including on weekends. He was thanked for providing this information.

President Kaplowitz reported that both Provost Wilson and Vice President Pignatello are opposed to reinstating the long-standing policy of faculty access to their offices for the purpose of

doing their work when the College is closed. She reported that the previous day VP Pignatello did, however, offer to compromise his position with a two-hour extension of the hour when faculty must vacate their offices; that is, he offered to change the time that faculty must leave from midnight to 2 AM.

The Senate was unanimous in its view that 24/7 access is necessary for faculty to be able to do their work. Senator Francis Sheehan proposed a sign-in/sign-out policy at the lobby Security Desk to make the work of the Security Officers easier **as** well **as** to ensure the safety of the faculty members. President Kaplowitz was asked to poll the CUNY college faculty leaders to learn whether access is permitted at their campuses. A motion re-affirming the Senate's position that faculty need and must be provided 24/7 access to do their work was approved by unanimous vote.

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

Respectfully submitted,

Edward Davenport
Recording Secretary

John Jay College of Criminal Justice
College Policy Proposals for Course Scheduling and Cancellation
Proposal Version I.7

Attached are two policy proposals that have been approved in principle by the Faculty Senate and the Council of Chairs. The Senate and Chairs invite the suggestions and recommendations of the administration, **Standards** Committee, Graduate Studies Committee, Student Council and Comprehensive Planning Committee. The purposes of the proposals are

- to establish college standards as to class size,
- to create incentives for use of underutilized class periods,
- to standardize the process of course cancellation,
- to support student degree progress, retention and graduate rates, and
- to afford departments greater flexibility in establishing class sizes.

The Senate and Chairs intend to submit the proposals to the College Council for adoption as College policy.

Why are these policies necessary?

- a) North Hall is overcrowded during peak periods. Reductions in peak class sizes will reduce numbers of students during peak demand periods.
- b) The Chancellor wrote the President on December 12, 2002 including the following request: "We talked briefly about John Jay's space issues. In the longer term, the new building should address many of those concerns. In the shorter term, in addition to renting more space, I hope you will take a serious look at increasing weekend and summer class options to make fuller use of existing space." These policies provide incentives and protections for faculty members willing to teach in under-scheduled periods.
- c) There are sound pedagogical reasons for limiting class sizes. The policies establish, in connection with the design of Phase II, the College's commitment to allowing department greater flexibility in establishing smaller classes and seminars.

Can the College afford to implement these policies?

The primary fiscal effect is that the adjunct budget would have to be increased to support additional course sections during under-scheduled periods.

The Class Size policy provides that, for any year where the administration believes that the budget requires generally higher class sizes, that the limits can be raised by vote of the College Budget Committee (the "B" of the College P&B.)

Will the policy adversely affect large departments with many sections of introductory courses?

The policy would require more sections of such courses. However, the policy permits the Provost and a Department Chair or Graduate Program Director to agree to raise limits for a particular course. Thus, if the limits are initially impractical for a particular department, the Chair and Provost can phase in the lower limits.

Does the College Council have the authority to approve policies in these areas?

The College Charter provides that "The College Council shall be the primary governing body of the John Jay College of Criminal Justice. It shall have authority to establish College policy on all matters except those specifically reserved by the Education Law or by the Bylaws of the Board of Trustees of the City University of New York to the President or to other officials of the John Jay College or of the City University of New York, or to the Board of Trustees."

John Jay College of Criminal Justice
 College Policy: Primary and Secondary Enrollment Limit
Proposal Version 1.7

Type and Level of Class	Primary limit	Secondary limit
Standard Undergraduate	34	36
Intensive Undergraduate, such as remedial sections, English composition, ESL, speech, foreign languages, and writing-intensive.	16-28 determined by the Provost in consultation with the Department.	18-30 determined by the Provost in consultation with the Department.
400-Level Undergraduate	22	24
Graduate	20	23
Large Lecture Sections	Determined by the Provost in consultation with the Department.	Determined by the Provost in consultation with the Department.
Laboratories and Art/Music Studios	Two (2) less than the number of functional stations in the lab	Equal to the number of functional stations in the lab

These limits may be modified only with the approval of the Department Chair or, for graduate courses, the Dean of Graduate Studies in consultation with the Program Director.

The Secondary Limit is two (2) or three (3) students higher than the **Primary** Limit. Students may be registered into the Secondary Limit with the approval of the Chair, Program Director (in the case of a graduate course) course faculty member, Dean of Graduate **Studies** or Associate Provost.

Enrollment limits may be generally increased by vote of the College Budget Committee when the Committee finds that, for a particular budget year, fiscal conditions require increased class sizes. In considering whether fiscal conditions require increased class sizes, all financial resources available to the college should be taken into account.

John Jay College of Criminal Justice
College Policy: Cancellation of **Class** Sections
Proposal Version 1.7

Class sections may be cancelled when enrollment, after arena registration, is less than one-third of the Primary Enrollment Limit for course sections during periods where over 50% of classroom spaces were utilized during the previous semester. The required enrollment shall be one-quarter of the Primary Enrollment Limit for course sections during periods where less than 50% of classrooms were utilized during the previous semester, or where the course is the only open scheduled section during the semester of a required general studies or major course, or the only evening section of such a course scheduled during an academic year.

When the Provost decides to recommend cancellation of a course section, the Department Chair and Program Director (in the case of a graduate course), and the course instructor shall be notified by **email**. The Chair and Program Director shall be provided at least four hours notice, during normal college office hours announced in advance, following a cancellation recommendation by the Provost before action is taken by the Registrar. During the four hours, the Chair or Director may communicate to the Provost in writing (including email) any information that might affect the decision.

During the four-hour period, upon request of the Chair or Director, overenrollment may be counted against under-enrollment based on the following rules.

Over-enrollment is defined as enrollment in excess of the original **secondary** limit.

One to four over-enrollments may, upon request to the Provost, by the faculty member with approval of the Chair and/or Program Director, be counted against under-enrollment on a one-for-one **basis** when the sections involved are taught by the same faculty member, provided that the course section has **an** actual enrollment of at least 20% of the **Primary** Limit or **6** students, whichever is greater.

Example: A professor teaches Gov 101 and Gov **260**. If Gov **101** has 3 students above the Secondary Limit, and Gov **260** is 3 students below the one-third requirement, the 3-student over-enrollment in Gov 101 can count against the 3-student under-enrollment in Gov **260**.

One to four over-enrollments may, upon request to the Provost by the Chair and/or Program Director, be counted against under-enrollment on a Departmental or Program basis in the same manner, but on a 2-for-one basis.

Example: All over-enrolled Gov 101 sections have a combined over-enrollment of **8** students. The chair can apply **4** of these over-enrollments to under-enrolled courses, provided that the courses have enrollments of at least **20%** of the Primary Limit or **6** students, whichever is greater.

The Provost will initiate cancellation for those courses where the recommended cancellation was not rescinded during the four-hour period. The Registrar shall provide **an** email notification notice to the Chair, Program Director (in the case of graduate courses), instructor and students involved. The notice shall include a roster of the affected students, including routine SIMS contact information.



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

The City University of New York
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ATTACHMENT B

March 10, 2003

To: President Gerald W. Lynch

From: Professor Ned Benton, Chair, Budget Advisory Committee
Professor Karen Kaplowitz, President, Faculty Senate
Professor Harold Sullivan, Chair, Council of Chairs

Dear President Lynch,

The Council of Chairs and the Faculty Senate recently submitted two policy proposals for the agenda of the March meeting of the College Council. These two policy proposals are designed to reduce class sizes and also to expand our use of classroom space in underutilized time periods. We write to encourage you to support these initiatives and to support a program of action to achieve the important results that the policies envision.

We have reached a point in the history of the College where our generation of administrators and faculty members must make decisions that will affect the character of our College for many decades to come. The decisions also probe our own character as college leaders and set a standard for how history will view our generation's legacy to the future.

Each of us has been at the College for two decades or more. When we came to John Jay, one of the features of the College that we valued was the College's identity as a liberal arts college with small classes that permitted close interaction between instructors and students. Over the years, due to a series of budget crises, we have gradually allowed maximum class size to increase, to limits that are inconsistent with our vision of the College. ~~Our~~ generation faced critical financial problems that demanded the steps that we reluctantly took. However, our generation now has the opportunity to restore what we had to compromise.

We also now face an urgent legal and moral problem. The typical classroom in North Hall ~~has~~ a fire code occupancy of fewer than 30 students. We believe that we are morally and legally obligated to take every action possible to comply with the law. Student, faculty, and staff safety is at risk, and we fail a test of moral leadership if we violate in our classrooms the very standards that we teach students to respect and implement.

We therefore ask you to support the two policy proposals that we have submitted to the College Council. We also ask you to support the application of the class size policies in the planning of

ATTACHMENT B (cont)

To: President Lynch

From: Professor Ned Benton
Professor Karen Kaplowitz
Professor Harold Sullivan

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Phase II. The choices that the designers have framed for the College challenge our generation of College leaders to answer profound questions about the character of our College. Will we force future generations of faculty and students to endure the large class sections that temporary financial exigencies have imposed on our generation?

Fortunately, our capital and operational resources make it possible for us to make these important policy decisions for the future of the College. We can afford the increase in sections now, and in planning Phase II, the best instructional choice – smaller classrooms – is also the most efficient choice as they will result in a higher level of station utilization.

We therefore **ask** you to **join** with us, at this important moment in the history of the College, in taking steps that will make us proud of our generation's moral and legal commitment today and of our generation's vision for the College's future. Once in every generation there comes a moment to decide. **Our** moment is now.