

Faculty Senate Minutes #326

April 9, 2008

3:20 PM

Room 630 T

Present (27): Simon Baatz, Spiros Bakiras, Adam Berlin, Teresa Booker, Marvie Brooks, Dara Byrne, Elise Champeil, Virginia Diaz, Kirk Dombrowski, Janice Dunham, Marcia Esparza, DeeDee Falkenbach, Gail Garfield, P. J. Gibson, Amy Green, Heather Holtman, Karen Kaplowitz, Ma'at Lewis-Coles, Vincent Maiorino, James Malone, John Matteson, Patrick O'Hara, Tanya Rodriguez, Nancy Ryba, Francis Sheehan, Shonna Trinch, Thalia Vrachopoulos

Absent (10): Erin Ackerman, Myrna Archer, Edward Davenport, Konstantinos Georgatos, Tim Horohoe, Richard Kempter, Evan Mandery, Nick Petraco, Rick Richardson, Raul Romero

Agenda

- 1. Approval of the agenda**
- 2. Announcements & Reports**
- 3. Adoption of Minutes #325 of the March 27, 2008, meeting**
- 4. Faculty Senate Outstanding CUNY BA Student Awards**
- 5. Commencement Poem**
- 6. Election of at-large members of the 2008-9 Faculty Senate to the 2008-9 College Council**
- 7. Charter revision update**
- 8. Discussion of the April 15 College Council agenda**
- 9. Faculty Personnel Guidelines**

- 1. Adoption of the agenda.** Approved.

- 2. Announcements & Reports**

Senator John Matteson was wildly congratulated and enthusiastically celebrated by the Senate on the occasion of his winning the Pulitzer Prize in Biography for *Eden's Outcasts: The Story of Louisa May Alcott and her Father*.

President Kaplowitz reported that Senators Amy Green, Francis Sheehan, and she read the submissions by English Department faculty for the poem to be read at Awards Night and at Commencement and all agreed on a single poem, which they feel is truly great. Senator Green read the poem. The Senate did not know the author's identity. After hearing the poem, the Senate expressed its agreement through vigorous and sustained applause. The poet was then identified as Senator Adam Berlin, whom the Senate applauded once again.

3. Adoption of Minutes #325 of the March 27, 2008, meeting

Minutes #325 of the March 27, 2008, were approved.

4. Recommendation of graduating students to receive the Faculty Senate's Outstanding CUNY BA Awards: Senators Edward Davenport & Tonya Rodriguez

A recommendation was made to henceforth award three Senate awards, one each for students majoring in the humanities, in the social sciences, and in science/computer science/mathematics. The Senate concurred. There being no student majoring in the humanities who is graduating this year, two students were recommended for awards in the other categories: Paul Gallo in Computer Science and David Morgante in Terrorism Studies (Social Sciences). The Senate ratified this decision.

5. Commencement Poem: Executive Committee

The process by which the poem written by a faculty member and read at the graduation ceremony each year has been selected until now was reviewed. Until this year, English Department faculty members – but only English Department faculty members – were invited to write and submit their poems to the VP for Institutional Development and this vice president selected the poem; one year this vice president rejected all submitted poems and asked the English Department chair to submit more.

The Senate's Executive Committee proposed that henceforth all John Jay faculty members be invited to write and submit a poem and also proposed that the selection should be by the Faculty Senate and not by an administrator, as it has been until this year.

The Senate endorsed this proposal by unanimous vote.

6. Election of at-large members of the 2008-9 Faculty Senate to the 2008-9 College Council

The following at-large Senators were elected by the Faculty Senate to serve on the College Council the following year: Adam Berlin, Marvie Brooks, DeeDee Falkenbach, Karen Kaplowitz, Evan Mandery, Francis Sheehan and Thalia Vrachopoulos.

7. Charter revision update

Last week, on the afternoon of Friday, April 4, President Travis and a significant number of students who are members of the College Council reached a compromise agreement about the Charter revision. (Counsel Rosemarie Maldonado was present during this meeting.)

President Kaplowitz explained that the students agreed to the compromise only because, at her suggestion, President Travis explained to the students that if the revisions are not approved by the College Council this month, the faculty plan to rewrite the charter revisions and have a referendum of just the instructional staff, which our Charter permits as an alternative way of amending the Charter, and that if the faculty have to go this route they plan to radically reduce the size of student membership on the College Council and on College committees, including removing the role of students in reviewing student evaluations of the faculty.

President Kaplowitz reported that on Friday late afternoon, after President Travis met with the students, President Travis, Provost Bowers, Counsel Maldonado, and she met. President Travis reported on his meeting with the students and asked President Kaplowitz whether she could support the compromise. She reported that she told President Travis that she can support the compromise but that she cannot speak for the Faculty Senate but she did offer to ascertain whether the Senate will support the compromise. As the Senate knows from her emails over the weekend, the Student Council's next meeting is today at the same time as this Faculty Senate meeting and for this reason she emailed the Senate over the weekend explaining the compromise and asking the Senators to informally let her if each would be willing to support the compromise with a formal vote to take place at today's Senate meeting.

President Kaplowitz pointed out that if all the student members of the College Council were to vote against the Charter revision, the Charter revision would fail because the Charter revision requires not just an absolute majority but a 75% positive vote of all those present and voting. The students currently have 27% of the College Council seats. So this compromise that President Travis and a group of students on the College Council have reached is a critical development. She said that although what she recommended to President Travis that he tell the students – that the faculty would amend the Charter by holding a referendum next year and would make it less inclusive of students – is true it would take a tremendous amount of work to redo the charter revision and to hold the referendum. She said it is doable but that

she recommends that the Senate approve the compromise and have an amended Charter by the end of this semester.

She thanked the Senate for its informal email vote which was affirmative and before asking for a formal vote, she reviewed the issues and the compromises:

The students have 3 issues:

1. The issue: the students want one more student seat, a freshman representative seat, on the College Council, which would mean they would have a net loss of only one seat instead of two. They currently have 15 seats and with this compromise they would have 14. The compromise is that a non-faculty seat will become a 14th student seat; the second half of the compromise is that the Student Council would appoint a freshman to that seat rather than have that freshman representative student elected, because freshmen students are by definition not at the College at the time of elections. The non-faculty seat that would be given to the students is the seat now held by the non-instructional staff (i.e., Civil Service employees, including the janitors and other Buildings & Ground workers, and the clerical staff).

2. The issue: many of the students want to retain their two student seats – with vote – on the College Personnel (P&B) Committee. The compromise is that there will no longer be any students who are voting members (or even non-voting members) of the P&B. Students are adamant that they remain on the P&B. The compromise is that 2 students chosen by the Student Council and ratified by the College Council will have the job of attending P&B Review Committee meetings but only to report the results of the student evaluations of candidates for reappointment, tenure, and promotion but they will not be members of the Personnel Committee. The students will attend only to give an oral report and leave; they will not be present at any other part of the meetings. The students will no longer have access to the personnel files except for the student evaluations of the faculty; the students will not be permitted to attend meetings of the full Personnel Committee, only the review subcommittees; the students, not being members, will neither vote nor count as part of the quorum. The students would be required to receive training as to how to analyze and report the student evaluations. Also, this provision would of course not preclude faculty members of each Review Committee from doing independent reviews and reports of student evaluations of the candidates. Furthermore, this provision would be in the Bylaws and not in the Charter so that if this does not work out, the Bylaws can be amended by the College Council without having to go to the CUNY Board of Trustees (which is required to change the Charter).

3. The issue: some students want to continue having 5 students on the Undergraduate Curriculum & Academic Standards Committee instead of the 3 students that the draft revised Charter provides for. The Provost is opposed to the students' demand because the requirement of the Perez v. CUNY decision that motions pass by an absolute majority of the members is made very difficult when there are unfilled or absent members as has been the case even this year on the Curriculum Committee on the part of the students. President

Kaplowitz said she told Provost Bowers and President Travis that the Faculty Senate also does not support 5 student members because of the very reason the Provost is opposed to it and also because the curriculum is a faculty responsibility. She noted that the Senate has already compromised its original position which was to have 1 student member and has reluctantly agreed to 3 student members. And so this is a change that will not be made.

President Kaplowitz reported that she then proposed to President Travis that because the role of the College Council Executive Committee is being made so much more important in the new Charter and in light of the fact that the proportion of the faculty on the Executive Committee is being decreased by the addition of a second HEO member, there should be 7 instead of 6 faculty members on the College Council Executive Committee. President Travis immediately agreed to the addition of another faculty member. And so the College Council Executive Committee will comprise: 4 administrators (president, provost, vice president for student development, vice president for administration); 7 faculty members; 3 students; 2 HEOs.

The Senate voted to support the entire package, including all the compromises; the vote was unanimous.

8. Discussion of the April 15 College Council agenda

The entire College Council agenda is a discussion about and vote on the proposed amendments to the Charter and the establishment of the Bylaws.

President Kaplowitz spoke about the importance of all members of the College Council attending the April 15 meeting because of the vote on the Charter revisions. She said that just because students on April 4 agreed to a set of compromises does not bind them to those compromises and they may very well come to the College Council meeting to vote against the revisions. In addition, she pointed out, not all the student members of the College Council attended the April 4 meeting with President Travis.

9. Update on the Faculty Personnel Guidelines

President Kaplowitz reported that all the revisions recommended by the Faculty Senate were approved at the previous day's Faculty Personnel & Budget Committee meeting [see Attachment F of Minutes #325].

The meeting was adjourned at 5:00 PM.