

FACULTY SENATE MINUTES #68

John Jay College of Criminal Justice

Date: November 20, 1991

Time: 3:20 PM

Room: 630T

Present (29): Arvind Agarwal, Michael Blitz, James Bowen, David Brandt, Orlanda Brugnola, Lily Christ, James Cohen, Janice Dunham, Robert Fox, Elisabeth Gitter, Lou Guinta, Suzanne Iasenza, Karen Kaplowitz, Sondra Leftoff, Tom Litwack, Rubie Malone, Robert McCrie, Jill Norgren, Mary Regan, Douglas Salane, Olga Scarpetta, Edward Shaughnessy, Candice Skrapec, Timothy Stevens, Charles Stickney, Antoinette Trembinska, Howard Umansky, Carl Wiedemann, Marcia Yarmus

Absent (11): Haig Bohigian, Philip Bonifacio, Dorothy Bracey, Lou Cuevas, Migdalia DeJesus-Torres de Garcia, Nyamazao Maliwa, John Pittman, Lydia Rosner, Jerome Storch, Martin Wallenstein, Agnes Wieschenberg

AGENDA

1. Announcements from the Chair
2. Approval of Minutes #67 of the November 5 meeting
3. HEO representation on the College Council
 - a. allocation of faculty seats
 - b. proposed Charter language
 - c. ex officio membership
4. Discussion of Faculty Senate terms of office: Senator Robert Fox
5. Executive Committee: Report in response to Senator Fox's inquiry and a proposed resolution on Faculty Senate election procedures
6. Report on the CUNY equal protection lawsuit
7. Proposals from the Senate's Committee on Student Concerns on honoring faculty advisors of clubs: Senator Stickney
8. Reports from committees
9. New Business

[Ed. In order to facilitate the business of the Faculty Senate, the agenda schedule was not followed precisely. However, all reports and actions will be recorded in agenda order.)

1. Announcements from the chair

The senators were directed to written announcements [Attachment A].

Senator Litwack commented on one of the announcements in the "Announcements from the chair" [Attachment A]. The announcement was about a document recently issued by the Office of Student Affairs of the CUNY Central Administration at 80th Street that reports the status of disciplinary hearings and other responses to the student protests place at each CUNY college last spring. Senator Litwack noted that the description of the situation at John Jay is that the student "action [was] of short duration with minor or no impact on campus operation." Senator Litwack said that this characterization by 80th Street of the events at John Jay are simply not true. He recommended that John Jay's Faculty Senate convey to 80th Street that the Faculty Senate of John Jay does not consider this to be an accurate assessment.

President Kaplowitz distributed copies of the 80th Street document [Attachment B]. She explained that she thought the document is significant both because members of John Jay's administration have been asserting that none of the CUNY colleges had brought sanctions against the students last spring (which she said she knew from faculty at other colleges to be inaccurate) and because of the document's characterization of the situation last spring at John Jay.

Senator Litwack said that the Faculty Senate has a responsibility to set the record straight. He said that while the student takeover at John Jay was of shorter duration than those of previous years and was also of shorter duration than the takeovers of several other CUNY colleges last spring, nonetheless it was not, in his opinion, of short duration, nor did it have "minor or no impact."

Senator Litwack moved the following motion: Resolved, that the Faculty Senate inform both the 80th Street Office that issued the report, the Chancellor, the Chair of the Board of Trustees, and the President of John Jay College that the characterization concerning the spring student disruption at John Jay is inaccurate; that North Hall, one of John Jay's two buildings, was shut down for 10 class days and for 12 calendar days; and that North Hall contains not only the majority of classrooms and the majority of faculty offices, but also the registrar's office, the financial aid office, the day care center, the microcomputer center, the computer center, the writing, reading, language, and mathematics labs, and the offices of 15 of the 20 academic departments.

President Kaplowitz said that it is her understanding that 80th Street's report is based on the information and characterizations provided by the administration of each College and that the administration of John Jay may have sent this message to the Chancellory and to the Board of Trustees in order to counter the impression that the College had been severely disrupted.

Senator Litwack said that he understood this but that the Faculty Senate should not let the administration control information about the College and that the Faculty Senate has an obligation to inform John Jay administrators that whatever

the reason for their assessment, and for their decisions based on that assessment, we do not agree with their view of the situation.

President Kaplowits said that she would be reporting at the next Senate meeting about the decline of criminal justice practitioner students at John Jay and that the causal relationship between the takeovers and this decline is acknowledged by virtually everyone at the College. Senator Brandt said that during the spring takeover, in-service students told him they would not return to the College because of the takeover and that it does seem as though they kept their word. Many senators said that this is an example of the inaccuracy of the 80th Street report that the student protest had "minor or no impact" at John Jay.

Senator Norgren supported the motion, saying that the letter would be a way of registering faculty dissatisfaction with the conflicting or inaccurate signals being sent out by the administration and at the same time it would be a way to convey faculty dissatisfaction with the administration's lack of planning or preparedness. She said the Faculty Senate's silence could be misinterpreted as the faculty's tacit approval of the administration's attitude or public stance toward the student takeovers.

Senator Gitter said that the letter need not be provocative. It should be a straightforward statement of the facts. Senator Litwack agreed, adding that the letter should acknowledge that the John Jay student takeover in May was not as long or as crippling as those at other CUNY colleges. The question was called. The motion passed, with 24 in favor, 1 opposed, and 3 abstentions. [See Attachment C for a copy of the letter sent to 80th Street.]

2. Approval of Minutes #67 of the November 20 meeting

By a motion duly made and carried, Minutes #67 of the November 20 meeting were approved.

3. REO representation on the College Council

a. allocation of faculty seats

The Senators were directed to data about the size of academic departments [Attachment D] and also to proposals for allocating the 28 seats on the newly restructured College Council [Attachment E]. Currently the faculty have 25 seats and 20 academic departments. The newly structured Council provides the faculty with 28 seats. Currently department size is based on the number of full-time faculty plus half the number of adjunct faculty, and the fallacy of basing representation on this formula was discussed at the last Senate meeting.

President Kaplowitz explained that the second reading of the Charter amendment is scheduled for the following day's meeting of the College Council. She said that she and Senator Blitz, having participated in meetings with administrators,

HEOs, and students, have pledged to bring the Faculty Senate's solution about the allocation of faculty seats to the Council before the next day's meeting so the final Charter language can be voted on.

She noted that the method of allocating seats might have to change over time and that at the previous meeting Senator Bohigian had suggested not only consultation with departments but also a one-year testing period for whatever method is selected. She said that there had not been sufficient time for all departments to meet and deliberate about this.

The Council of Chairs did give an advisory position, which is proposal #2 on Attachment E. She also noted the various ways of calculating size of department (noting that John Jay's current method is not used by other CUNY colleges) and various ways of having at-large Council representatives, as had been suggested at a previous Senate meeting.

President Kaplowitz said that in light of all these factors and especially in light of the tight deadline for determining this important issue, the Faculty Senate's Executive Committee is proposing that the Charter state that "Each academic department shall be allocated one seat and the remaining seats shall be allocated according to a method to be determined by the Faculty Senate." This appears as proposal #1 on Attachment E.

She explained that Senator Litwack proposed this solution to the Executive Committee following the last Senate meeting at which Senators were asked to propose solutions. She also explained that as Senator Litwack suggested, if the Senate adopts this language, then the language in the proposed Charter revision that speaks about ranking departments by size would be deleted.

President Kaplowitz said the advantages of this proposal are several: the Senate would have more time to consult with departments and to decide on how to distribute seats, there would be the possibility of making changes next year or in subsequent years because it would be the Faculty Senate making the changes and not the entire College Council (which can only make changes by amending the Charter), and it would provide a solution in time for the vote at the next day's College Council meeting.

Senator Malone asked for an explanation as to how the number of full-time faculty was calculated, saying that there is a discrepancy in the figures for SEEK on Attachment D. Senator Agarwal pointed out another discrepancy in the calculations for the Department of Science, pointing out that the way College Laboratory Technicians are counted will affect the running of his department. President Kaplowitz noted that this is another reason why the Executive Committee's proposal should be adopted: the Senate needs additional time to determine the size of departments and to gather accurate data.

On behalf of the Executive Committee she moved that the Charter contain the following language: "Each academic department shall be allocated one seat and the remaining seats shall be allocated according to a method to be determined by the Faculty Senate." The motion was seconded by Senator Gitter.

Senator Brandt asked about the difference between proposals #1 and #2 on Attachment E. It was explained that proposal #1, if adopted, allows us later to choose any of the other options that appear on Attachment E or other options that have not yet proposed and that might be better solutions. But if we now reject the motion before us and pick one of the other solutions, we foreclose the possibility of choosing any other solution.

President Kaplowitz pointed out that proposal #1, the motion before the Senate, is in conformity with the method by which the Charter permits student members on the College council to be chosen: it is the Student Council that determines allocation of student seats on the College Council. Having the Faculty Senate determine faculty allocation would provide a parallel structure. Senator Fox noted this is the way HEO representation has been developed.

Senator Litwack suggested amending the language of the motion to "Each academic department shall be allocated one seat and the remaining seats shall be allocated according to [a method to be determined] any method duly adopted by the Faculty Senate." President Kaplowitz accepted the amendment.

Asked about the timetable, it was explained that the HEOs expect to have their constitution written shortly and that the College anticipates that the Board of Trustees will approve the Charter amendment in time for the HEOs to be on the Council by February. She said that the Senate would have to determine at its December 13 meeting the method for choosing the additional three faculty representatives for the rest of this academic year, which would be an interim solution. She explained that the Executive Committee is proposing that the current 25 department representatives on the Council be retained and that the additional three seats be filled for the spring semester. The Senate would then have until April to determine the method of choosing the additional eight faculty seats (there are 28 seats and 20 departments).

The question was called. The motion, to amend the Charter to state that "Each academic department shall be allocated one seat and the remaining seats shall be allocated according to any method duly adopted by the Faculty Senate," carried by a vote of 27 in favor, none against, and one abstention.

b. proposed Charter language

The Senate considered the proposed amendment to the Charter [Attachment F]. Senator Agarwal asserted that the definition of faculty should not include College Laboratory Technicians (CLTs) in the proposed Charter amendment. He said that the Bylaws of CUNY specifically state that CLTs are not faculty. Senator Agarwal noted that the inclusion of CLTs as faculty in the Charter could affect his department, Science, in ways that have not been anticipated and asked that CLTs be excluded from the definition until this issue is better understood. He noted that if the Charter says that CLTs are faculty, there may be repercussions we have not anticipated.

Senator Norgren said she is puzzled by this provision of

the Bylaws since CLTs are subject to the College's Personnel Committee, which has jurisdiction only over faculty. Senator Fox said that this is an issue that his department, Physical Education and Athletics, has grappled with and he did not know whether it was a good idea to exclude or include CLTs.

Professor Sandy Berger, chair of the Science Department, said he is concerned about the issues raised by Senator Agarwal, noting the unknown ramifications of any changes to the Charter and their possible impact on not only the departments but on other provisions of the Charter that have to do with faculty. Senator Malone also voiced concern about such changes.

Asked for the actual language of the Bylaws, Senator Agarwal read Bylaw Article 8.1, which defines faculty rank, and which states that "all persons who are employed full-time on an annual salary basis in titles on the permanent instructional staff, except college laboratory technicians, [italics added] shall have faculty rank. All persons having faculty rank shall have the right to vote both in the faculty of which they are members and in their respective departments provided, however, that they have not received notice of non-reappointment, or submitted a resignation." Senator Agarwal added that CLTs do not perform any faculty functions in the academic departments.

Senator Brandt wondered if it were possible to define CLTs as faculty only in terms of representation on the College Council, thus limiting the impact of the definition and avoiding conflict with the University Bylaws. He proposed amending the proposed Charter revision to state that "the faculty consists of all members of the instructional staff in the full time and part time (adjunct) titles of: Professor, Associate Professor, Assistant Professor, Instructor, Lecturer, and for the purposes of representation on the College Council, College Laboratory Technicians." Senator Litwack supported the proposal.

Senator Agarwal suggested including CLTs as ex officio members of the Council rather than including them in the definition of faculty. Senator Gitter asked if this was a disenfranchisement or was simply theoretical. Professor Berger replied that at John Jay CLTs do vote in department elections and they do serve as department representatives.

Senator Fox noted that the dilemma about CLT status has been unresolved for years at John Jay and is a thorny matter and needs to be resolved. Senator Norgren asked Senator Fox how the PSC considers CLTs. He replied that CLTs have their own campus-wide representative. Professor Berger noted again the importance of the issue to the College. Senator Litwack raised the question as to whether 80th Street and the Board of Trustees would approve the revision to the Charter if CLTs were included as faculty. He pointed out that either deleting CLTs or defining them as faculty only for the purpose of College Council representation would take care of these concerns, ensuring that this would not affect the definition of faculty in other parts of the Charter. Senator Gitter urged including the language limiting the definition to Council representation.

Many senators expressed concern that the status of CLTs

at the College is unclear and seemingly contradictory. President Kaplowitz suggested that Senators Agarwal and Fox, as representatives of departments with CLTs, consider preparing an agenda item on this issue for consideration by the Senate at a later date.

The question was called. The motion to amend the proposed Charter revision to add the words "and for the purposes of representation on the College Council" before "College Laboratory Technicians" passed by unanimous vote.

c. ex officio members

It was reported that as the result of further negotiations on ex officio membership on the College Council, the newest proposal is that there be four ex officio members with floor rights. The four are: a member of the Faculty Senate executive committee or designee; a member of the HEO Council executive committee or designee; the dean for undergraduate studies; the director of business and finance. The Executive Committee moved the motion.

Senator Litwack asked whether the students should be offered an ex officio seat. President Kaplowitz said the students had not asked for one and that they have four statutory seats, whereas the faculty have no statutory seats. Senator Blitz noted that the issue of ex officio membership has been discussed with the students and they had not expressed an interest in such a seat. Senator Fox suggested that CLTs should have an ex officio seat, as should the students, as well as the PSC representative.

President Kaplowitz said that the consensus among those who negotiated this issue was that there be as few ex officio members as possible. Because the proposal would give ex officio members floor rights, there was consensus that it is important that there be only a few such members so that there not be confusion about who can make motions, vote, etc.

Senator Gitter doubted the need for more ex officio members, as did Senator Norgren who said that there seems to be a misdirection of the Senate's discussion, that the real issue is correcting a distortion to the body. The question to endorse the configuration of ex officio membership was called. The motion to call the question carried with 23 in favor, 3 opposed, 2 abstentions. The motion carried with 15 in favor, 4 opposed, 9 abstentions.

4. Discussion of Faculty Senate terms of office: Senator Fox

5. Executive Committee: Report in response to Senator Fox's inquiry and a proposed resolution on Faculty Senate election procedures

The Senate considered an agenda item submitted by Senator Fox [Attachment G] questioning the absence of any provision in the Senate's Constitution limiting terms of office for executive officers. The Senate also considered the Executive Committee's response to Senator Fox's inquiry [Attachment H].

Senator Fox had remembered that early in the Senate's existence, in 1988, there had been a vote at a senate meeting to limit terms of office. As requested by Senator Fox, the Executive Committee researched this matter and determined that because of a confluence of factors [summarized in Attachment H] the Senate Constitution contains no limitation on terms of office. The minutes of the meeting that Senator Fox recalled (and the minutes of two other meetings) was never approved by the Senate nor distributed to the Senate nor to the faculty. Later, the Senate's Constitution, which contained no provision for limiting terms of office, was mailed to the entire faculty which ratified the Constitution by a vote of 168 to 10. Since then the Board of Trustees has reviewed and approved the Faculty Senate's Constitution and has it on file at 80th Street as a legal and official John Jay and CUNY document.

Senator Cohen asked about the Executive Committee's proposed changes in the nomination procedure [Attachment I] and whether the Executive Committee is the correct body to handle nominations. Vice President Dunham said that the Faculty Senate's Constitution specifies that the Executive Committee is the Senate's nominating committee and she noted that the proposal calls for the Senate's Elections Committee to merge with the Executive Committee for that very reason and that a combination of the two committees would provide enough people to make sure that the process did work as envisioned. She suggested that the Senate is too small a body to have an additional committee for such purposes.

Senator Fox asked why the Senate is discussing the Executive Committee's proposal when his agenda item asked for action on this matter. President Kaplowitz said that Senator Fox had proposed no specific action in his memo and that it was the very request for action that had led the Executive Committee to propose an improved method of encouraging and soliciting nominations and an improved method of providing slates in advance of elections as a way of encouraging candidates for positions. One way of encouraging contested elections is to develop successful nominating procedures.

Senator Fox presented his case for limiting terms of office for executive officers: by rotating officers, there would be a variety of leadership styles, as well as a variety of priorities, interests, and new directions and goals for the organization.

Senator Gitter asked, should the Senate want to limit terms of office, how would that be done. President Kaplowitz said that the method to amend the Constitution is to submit the current text and the proposed text. To approve a proposed amendment, two-thirds of those Senators present and voting must cast an affirmative vote at two consecutive, regular meetings of the Senate.

Senator Litwack said that since the Senate's Constitution is silent about terms of office, an ordinary majority of the body would be sufficient to make that change and the change could be reversed by a simple majority at any other time. Senator Norgren disputed this with an analogy to statutory federal judgeships.

Senator Scarpetta suggested that a specific proposal

should be brought to the Senate as a more adequate way to focus the Senate's discussion. Senator Norgren suggested that Senator Fox bring a specific proposal since he has raised the issue. Senator Fox said he is not ready to do so unless he gets a sense that the Senate supports such a change. He explained that the reason he raised the issue is to determine whether there is support for such a proposal. He said he has the greatest confidence in the present leadership of the Senate but that he does feel there should be some form of guaranteed rotation to guarantee that the body embraces other issues and directions. Senator Leftoff said it is not clear to her if Senator Fox means rotation of the Executive Committee or of the entire body.

President Kaplowitz said that it is always important to have the Senate reconsider its goals and directions but she noted that the one way to determine and change the direction of the Senate and of the Senate's priorities and goals is by submitting agenda items. She pointed out that the Executive Committee puts every item that is legitimate Senate business on the agenda and that this is the real way for a member of the Senate or for any faculty member to determine the direction and focus of the Senate. She noted that agenda items may be submitted by any member of the faculty, not just by members of the Senate.

Senator Litwack said that if Senator Fox wishes to it is his prerogative to propose a limitation on terms of office. Senator Litwack said, however, that he will argue vigorously against such a proposal because he is adamant that he (and others) should have the right to vote for whomever he wishes to vote for and for as many terms as he wants that person to be elected. Senator Litwack also agreed with President Kaplowitz that the real way of determining the course of the Senate is by putting items on the agenda that is important to an individual or to a group.

Senator Shaughnessy said that having a specific proposal put forward is the proper way to focus discussion but he added that he, too, is against limiting terms of office.

8. Reports from committees

Senator Stickney, chair of the Senate's Student Concerns Committee, distributed copies of his "Notes" of the November 14 Town Meeting [Attachment J].

Because of loss of a quorum, the meeting was adjourned at 5:20 PM.

Respectfully submitted,

Timothy Stevens
Recording Secretary

ATTACHMENT A

Announcements from the chair

Board Committee receives report on disciplinary hearing related to the student protests last spring

On October 8, Professor Robert Picken, chair of the UFS, and Professor Speidel (Queens) attended the Student Affairs and Special Programs Committee of the Board of Trustees. A report on the results of disciplinary hearings in response to the student protests last spring was distributed [see Attachment B]. Five colleges imposed sanctions: BMCC, Bronx, LaGuardia, Queensborough, and NYCTC. Lehman assigned a research paper. Two colleges pressed charges but did not assign sanctions: CCNY and York. Charges at Hunter are still pending. Four colleges had student takeovers but did not press charges: Baruch, Graduate School, Hostos, and Queens. At four colleges, the takeovers were of "short duration with minor or no impact on campus operation" -- according to 80th Street -- and no charges were brought: Brooklyn, John Jay, Medgar Evers, and CSI. Kingsborough was the only college that experienced no takeover of any sort. When sanctions were imposed, they included censure, community service, disciplinary probation, suspension, and in one case (LaGuardia) criminal charges.

CUNY equal Protection lawsuit update

The lawyer assigned by the Center for Constitutional Rights (CCR) to represent CUNY faculty and student plaintiffs, Franklin Siegel, met with the CUNY Legal Action Steering Committee on November 11 and explained that the complaint is being drawn up and that this will not be a class action suit. Instead it will be a suit with named plaintiffs who are representative of the students and faculty of CUNY who are negatively affected by the inequity in the State's funding of CUNY compared to SUNY. It is anticipated that the lawsuit will be filed at the end of January. CCR has committed itself to performing what it estimates will be approximately \$200,000 in legal work. The Steering Committee has committed itself to raising approximately \$25,000 for such additional expenses as expert witnesses who are not affiliated with CUNY. The budget analysis for the lawsuit is being performed by a team of CUNY faculty, under the direction of Senator Jim Cohen.

Provost Wilson allocates 20 lines

Provost Basil Wilson has allocated twenty lines to academic departments. If the current budget situation does not improve, Provost Wilson has authorized that the lines be prioritized, with 10 to be filled in September 1992 and 10 in September 1993. The 20 lines are allocated as follows: African-American Studies (2); Art, Music, Philosophy (2); English (2); Government (2); Law and Police Science (2); Library (1); Mathematics (2); Public Management (1); Puerto Rican Studies (2); Physical Education (1); Science (1); SEEK (1); Sociology (1). No lines were allocated to Anthropology, Communication Skills & Counseling, Foreign Languages, History, Psychology, or Speech & Theater. If prioritized, the first 10 lines, to be filled in September 1992, are allocated as follows: one line each to African-American Studies; Art, Music, Philosophy; English; Government; Law & Police Science; Library; Mathematics; Public Management; Puerto Rican Studies; Physical Education.

Chancellor Reynolds testifies on the 1992-1993 budget request

On November 1, 1991, Chancellor W. Ann Reynolds testified on CUNY's 1992-1993 budget request before the New York State Division of Budget, of which Patrick J. Bulgaro is the director. She stated: "I must express to you all our deep disappointment over the State's continued repudiation of its responsibility to fund fully associate degree programs at Mew York City Technical College and John Jay College. What we were assured was a one-time stop-gap measure two years ago, must be prevented from becoming permanent policy, placing the University, the City, and the thousands of students in these programs at risk. This is all the more troubling when one considers that the six SUNY colleges of technology and agriculture continue to receive all of the tax-levy support from the State with no required local sponsor share for associate degree programs. As you know, NYCTC was designated by the Legislature and the Governor as the urban technical college of the City University nearly a decade ago, the equivalent to SUNY's agricultural and technical colleges for funding purposes. John Jay College has always been a senior college. These institutions and their students are entitled to the same level of support as their counterparts outside the City. We call upon the Governor and others to restore full State funding in the 1992-1993 budget."

New members to be elected to Committee on Honoraw Degrees

The procedure for awarding honorary degrees proposed by the Faculty Senate and approved by the College Council in 1988 calls for a Committee on Honorary Degrees comprised of seven full-time tenured faculty who hold the rank of associate professor or full professor. The term of office is three years and members may stand for reelection. Of the current members, four are completing their three-year term this spring: David Goddard, Lawrence Kobilinsky, Virginia Morris, and Edward Shaughnessy. The other three members were elected during the past two years to fill positions left vacant when members took sabbaticals (Dorothy Bracey and Tom Litwack) or assumed administrative positions (Basil Wilson). Those three whose terms are not yet expired are Barry Latzer, Natalie Sokoloff, and Maria Volpe. The Executive Committee of the Faculty Senate is soliciting nominations for the soon to be vacant posts. Once a slate is ratified by the Faculty Senate, the slate will be sent to the entire full-time faculty for election by secret ballot and the ballots will be counted by the Faculty Elections Committee. The Senate's Elections Committee will check whether nominees are eligible to run and whether the nominees are willing to serve if elected. Terms of office begin in May 1992.

December 12 Better Teaching Seminar on "First Week of Class"

On December 12, at 3:15, in Room 630 T the fourth Better Teaching Seminar of the semester is being held. Sponsored by the Faculty Senate, this BTS is on "The First Week of Class and the Rest of the Semester: Making the Classroom Conducive to Teaching and to Learning."

Receptions scheduled

December 16 - reception for Bramshill Professor Brian West
December 17 - reception for Dr. John Cammett (newly retired professor of history) on the occasion of the publication of his most recent book

Update on budget situation

At this date, the cut to CUNY's senior colleges is \$13.2 million. This cut must be taken by March, when the fiscal year ends. CUNY receives 2% of the State budget and CUNY senior colleges were cut 2% of the budget. SUNY was cut \$28 million. The cut for John Jay is \$660,000. This is in addition to the \$600,000 gap for our associate degree program which has not yet been resolved for this year. For the first time CUNY did use the official formula for funding and as a result John Jay, which has been underfunded hithertofore, received an additional \$400,000 in adjunct monies this year. SUNY received a \$150 million bond for new construction; CUNY received funding for no new construction.

The \$13.2 million cut to CUNY can be made in any of the following ways: (1) eliminate all adjuncts (adjunct budget is \$11 million); (2) an eight-day paylag; (3) lay off 600 faculty and staff; (4) a combination of any or all of the previous items.

CUNY senior colleges lost over 700 faculty and staff to the Early Retirement Initiative. Applications at the community colleges are up 20% and at the senior colleges they are up 6.5%.

Book Circle to meet next on February 11

The Brown Bag and Book Circle will discuss Russell Banks' 1985 novel Continental Drift (available in paperback) on Tuesday, February 11 at 12:30 in the English department Conference Room (1281 North). The novel tells two stories simultaneously: that of a young blue-collar worker, a husband and father, who seeks the American Dream with his family in Florida, and that of a young Haitian woman who flees from the poverty of her country and arrives illegally on the coast of Florida seeking refuge.

OUTCOME OF DISCIPLINARY HEARINGS

ATTACHMENT B

<u>COLLEGE</u>	<u>TAKEOVER</u>	<u>CHARGES PRESSED</u>	<u>OUTCOME/SANCTIONS</u>
BARUCH	Yes	No	No sanctions.
BMCC	Yes	Yes	Community service and censure.
BRONX	Yes	Yes	Censure.
BROOKLYN*	Yes	No	No 'sanctions.'
CITY	Yes	Yes	By agreement between administration and students, no sanctions imposed.
GRADUATE SCHOOL	Yes	No	No sanctions.
HOSTOS	Yes	No	No sanctions.
HUNTER	Yes	Yes	Hearings held; discussions on a negotiated settlement currently in progress.
JOHN JAY*	Yes	No	No sanctions.
'INGSBOROUGH	No	No	None.
LAGUARDIA	Yes	Yes	12 guilty: 3 disciplinary probation; 7 censured; 1 dismissal of charge; 1 to be tried in criminal court.
LEHMAN	Yes	Yes	Hearings discontinued because of settlement, which is research paper due end of January 1992.
YEDGAR EVERS*	Yes	No	No sanctions.
QUEENS	Yes	No	No sanctions.
QUEENSBOROUGH*	Yes	Yes	1 student suspended.
CSI*	Yes	No	No sanctions.
NYC TECHNICAL	Yes	Yes	2 students suspended.
YORK	Yes	Yes	All charges lodged against the 9 accused students were dismissed.

*
Action of short duration with minor or no impact on campus operation.



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

The City University of New York
445 West 59th Street, New York, N. Y. 10019
212 237-8000 / 8724

December 1, 1991

Mr. Robert Jefferson
Office of Student Affairs
The City University of New York
535 East 80 Street
New York, N.Y. 10021

Dear Mr. Jefferson,

Your report of October 7, 1991, on the "Outcome of Disciplinary Hearings" at CUNY issued by the Office of Student Affairs characterizes the student takeover of Spring 1991 at John Jay College of Criminal Justice as being an "action of short duration with minor or no impact on campus operation."

It is true that despite the student takeover, through the cooperative, vigorous, timely, and time-consuming efforts of faculty, staff, and administrators, we at John Jay were able to conduct classes at John Jay and to finish the semester and final examinations in time for our scheduled commencement. It is also true that the student takeover at John Jay was not as lengthy nor as extensive as the student actions at some of the other CUNY colleges. We are very pleased, of course, that all this was so.

However, it is also true that the takeover by student protesters at John Jay involved one of John Jay's two buildings and that that building, North Hall, is the primary classroom and student support services building. In fact, North Hall contains the vast majority of classrooms, the vast majority of faculty offices, the child care center, the registrar's office, the financial aid office, the student and faculty cafeterias, the science laboratories, the book store, the reading, mathematics, foreign languages, and writing laboratories, the computer center, the microcomputer center, the students' lockers (in which many students store their textbooks and computer discs) and the offices of 15 of John Jay's 20 academic departments.

This key classroom and office building was taken over by student protesters and was inaccessible to students and to faculty for 12 calendar days, of which 10 were class days.

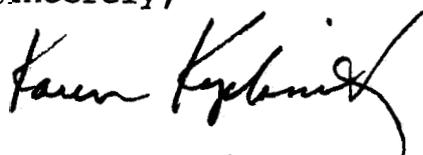
Furthermore, the "free period" each day during which no classes are scheduled so that committees, departments, and governance bodies can meet and conduct essential business of

Mr. Robert Jefferson
December 1, 1991
Page 2

the College was cancelled from the beginning of the takeover on April 17 and remained cancelled throughout the remainder of the semester so that all class periods could be lengthened. Although this enabled us to meet the State requirements regarding contact hours, it also meant that committee and other important non-classroom work was virtually nonexistent since faculty and students were in class at all times of the day and evening.

For these reasons, the Faculty Senate of John Jay does not consider the student takeover at John Jay to have been an "action of short duration with minor or no impact on campus operation" and the Faculty Senate has directed me to inform you that we do not agree with this characterization of the nature or the consequences of the Spring 1991 student protests at John Jay.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Kaplowitz". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Karen Kaplowitz, Ph.D.
President, Faculty Senate

cc. Chancellor W. Ann Reynolds
Chairman James P. Murphy
President Gerald W. Lynch

ATTACHMENT D

The addition of three faculty seats on the College Council means that there will be **28** faculty seats; there are currently 20 academic departments. The following chart shows the **size** of each academic department, both according to the formula the Charter now uses to determine size (the number of full-time faculty plus half the number of adjunct faculty) and according to the number of full-time faculty only.

	9/1/91 Full-time + half adj	9/1/91 Full-time faculty	
<u>rank</u>			<u>rank</u>
#1. English	48	30	[#1]
#2. Law & PS	39	25	[#2]
#3. Math	37	13.5	[#8]
#4. Psych	31	23	[#3]
#5. PubMan	30.5	15.5	[#6]
#6. Soc	27	18	[#4]
#7. AMP	18.5	12	[#9]
#8. Science	22.5	16	[#5]
#9. History	17	15.5	[#7]
#10. SEEK	16.5	6.5	[#14]
#11. SpeechTh	15.5	10	[#10]
#12. ForLang	14	9	[#13]
#13. Library	14	10	[#12]
#14. Govt	13.5	7	[#15]
#15. CounStuLife	10.5	15	[#7]
#16. Anthro	9	7	[#16]
#17. PhysEd	12	8	[#17]
#18. PRStud	6	2.5	[#19]
#19. AfrAmStud	5	4.5	[#18]
#20. ThemStud			

Please see the next page for proposals for allocating the **28** seats:

ATTACHMENT E

Proposals for allocating the 28 faculty seats:

#1. Proposal from the Faculty Senate Executive Committee:

Each academic department shall be allocated one seat and the remaining seats shall be allocated according to a method to be determined by the Faculty Senate.

N.B. If we adopt this proposal, the Senate will have time to decide this issue without the pressure of having to decide it by November 21, when the College Council next meets and at which time the second reading and vote of the Charter amendment is scheduled (we have been asked to provide the language for the allocation of faculty seats immediately after the November 20 Senate meeting so that it can be typed and duplicated in time for the November 21 College Council meeting); furthermore, the method ultimately chosen by the Senate can be subsequently changed (in a year or after several years) should the Senate deem it advisable to change it because of changes in the number of departments, etc. etc.

#2. Proposal recommended by the Council of Chairs:

Each academic department shall be allocated one seat and the remaining eight (8) seats shall be at-large seats to be filled through election by the entire faculty.

#3. Each academic department shall receive one seat and the (8) largest departments (determined by the number of full-time faculty plus half the adjunct faculty) shall receive a second seat.

#4. Each academic department shall receive one seat and the eight (8) largest departments (determined by the number of full-time faculty) shall receive a second seat.

#5. Each academic department shall receive one seat and the five (5) largest departments (determined either by full-time plus half the adjuncts or by the number of full-time faculty) shall receive a second seat. The additional three (3) seats shall be filled by at-large representatives elected

- a. by the entire faculty
- b. by the Faculty Senate

D R A F T 6-5s 11/19/91

JOHN JAY COLLEGE OF CRIMINAL JUSTICE
CHARTER OF GOVERNANCE

ARTICLE I
(Proposed Amendment to Section 3)

SECTION 3. Allocation of Members

Membership in the Council is fixed at [50] 56 and shall be allocated as follows:

a. Instructional Staff

The instructional staff is allotted [27] 33 representatives.

1) Faculty

The faculty is allotted 28 representatives.

The "faculty" consists of all members of the instructional staff in the full time and part time (adjunct) titles of: Professor, Associate Professor, Assistant Professor, Instructor, Lecturer; and, for the purposes of representation on the College Council, College Laboratory Technician. Full time faculty in the aforementioned titles are subject to the actions of the College Personnel and Budget Committee. @@Academic departments" are those departments whose full time faculty members are subject to the actions of the College Personnel and Budget Committee.

The basis of representation for [units] academic departments shall be the number of full time [members] faculty in each [unit] academic department plus one half the number of parttime [members.] faculty in each [unit] academic department as of the first of September preceding an election. Members of the administration and members of the non-teaching instructional staff are not included in this basis since they are represented on the Council separately. Each [unit] academic department shall have at least one elected representative, who shall be a Full time member of the faculty. The [27] 28 representatives of the academic departments shall be reapportioned among the [units] academic departments as of the first of September of the year preceding that in which the election is held, at which time the academic departments shall be rank-ordered based on the number of faculty of each department. Each academic department shall be allocated one seat and—the remaining seats shall be allocated according to any method duly adopted by the Faculty Senate. [The Director of Financial Affairs and Planning and the Dean for Admissions and Registration shall each be one of its representatives unless he or she serves on the Council in another capacity.] Other members shall be elected as prescribed in Article I, Section 6.



JOHN JAY COLLEGE OF CRIMINAL JUSTICE

The City University of New York

899 Tenth Avenue, New York, N.Y. 10019

(212) 237-8000

September 20, 1991

To: Executive Committee
John Jay College Faculty Senate

Fr: Robert Fox, Senator
Physical Education Department

Re: Senate Agenda Item
Terms in Office

Several years ago, in the first or second year of the Senate's existence, we drafted a constitution. Under Article IV, Officers of the John Jay College Faculty Senate, it was proposed and passed that officers (president, vice president, recording Secretary, and corresponding secretary) serve a maximum of two consecutive years. This stipulation is not contained in the Constitution that was distributed for the September, 1991 Faculty Senate meeting.

I am requesting that the Executive Committee examine the minutes of the early meetings involving this issue and place it on the agenda for discussion and action by the Senate at our next regularly scheduled meeting.

Thank you.

ATTACHMENT H

To: The Faculty Senate
From: The Executive Committee
Re: Senator Fox's inquiry

The Executive Committee has researched this inquiry and has determined the following sequence of events:

The Faculty Senate was founded in 1986. During its first and second years the Senate worked on a Constitution. The two authors of the Constitution were members of the Senate.

Many drafts of the Constitution were written. None provided for a limitation of terms of office. The relevant meetings, in terms of Senator Fox's inquiry, were in February, March, and April 1988. The minutes of those meetings (Minutes #13, #14, #15) were never approved by the Senate; they were not submitted by the recording secretaries until many months after the meetings took place and were never distributed to the Senate. [That year the Senate had two recording secretaries who were to provide minutes of alternate meetings; this arrangement was not as satisfactory as had been anticipated.]

At the February 1988 meeting, a motion was made that at-large senators be elected for two-year terms of office. That motion carried by unanimous vote.

At that February meeting, one of the authors of the Constitution reported that Edward Davenport, the Senate president, proposed that the draft of the Constitution be mailed to the entire faculty for comments. This was agreed to by the Senate.

At the next Senate meeting, in March, the Senate considered the revisions that had been proposed previously. The minutes report that Article II is to state that the term of office of at-large Senators shall be for two years.

At the April meeting, one of the Constitution's authors reported on faculty comments in response to the mailing to the entire faculty. (None of the faculty comments recommended limiting terms of office.)

It was agreed by the Senate, at the April meeting, that two-year terms of office was not a good idea (largely because College Council elections are yearly). The Senate approved a motion providing for one-year terms of office. Then a motion was made that officers may serve two consecutive one-year terms; this motion passed by a vote of 16 yes, 5 no.

The Constitution was mailed to the entire faculty at the end of April, with ballots due by May 23. The version which was mailed did not include any provision limiting terms of office. The Faculty Senate Constitution was ratified by a vote of the full-time faculty of 168 yes, 10 no.

To summarize: the minutes of the February, March, and April 1988 meetings were never approved. The Constitution that was ratified by the entire faculty contained no reference to limitina terms of office.

To: The Faculty Senate
From: The Executive Committee
Re: Proposed resolution on nominating procedures

ATTACHMENT I

The Senate Constitution calls for election of four executive officers (president, vice president, corresponding secretary, recording secretary) at the first meeting of the newly constituted Senate in May. This meeting is usually during the third week of May.

The Senate's reason for holding elections at that time (rather than in September) were several: so that officers of the Senate be in place during the summer when many decisions are made by administrators who had previously used the excuse that they had not consulted with faculty because faculty were not available during the summer; the outgoing executive officers might not be members of the new Senate and therefore would not be legally constituted officers during the summer; to first hold elections in September is to delay the work of the Senate: by having officers elected in May, organizational and other important Senate business (such as setting meetings) can be taken care of during the summer.

Therefore, the Executive Committee recommends retaining this schedule. However, the problem with electing officers in May is that there is often little time for people to consider who to nominate, or whether to run, or who they could be nominated by. The following proposed procedures address this situation and the Executive Committee recommends that the Senate consider the following proposed resolution:

Resolved, That the Faculty Senate adopt the following procedures:

1. the Senate's Executive Committee, in its capacity as a Nominating Committee (as provided by the Senate Constitution), serve jointly with the Senate's Elections Committee to facilitate nominations for executive office positions;
2. the at-large Senate elections be completed by the third week of April;
3. the department chairs be strongly urged to hold College Council elections no later than the first week in May. [N.B. A Charter amendment could require this and is recommended];
4. immediately upon election to the Senate as at-large representatives and as department representatives, each Senator receive from the Nominating Committee a form inviting nominations for the executive offices of the Senate;
5. the Nominating Committee provide each Senator with the new membership list as soon as each Senator is elected;
6. nominations for the executive offices be actively solicited by the Nominations Committee;
7. at the first meeting of the newly constituted Senate during the third week in May, a printed slate be distributed;
8. nominations from the floor be accepted at the first meeting of the newly elected Senate and these names be added to the slate.

Town Meeting Notes
by Professor Charles Stickney,
Faculty Senate Student Concerns Committee

Topic: "Safety and Security on Campus" - November 14, 1991
Facilitator: Dr. Bruce Pierce, Associate Professor,
Department of Law, Police Science & CJ Administration
Resource Panel: Safety Committee: Ana Aybar (student), Julia
Bryant, Farris Forsythe, Robert McCrie, James Scully

Gerald Lynch, in his opening remarks, said that this Town Hall theme is really: "Physician, heal thyself." How can we, who study crime, prevent crime at our college. He urged adoption of an I.D. system, involving magnetic I.D. cards, for entry into the college's buildings, as is done at some other colleges and invited discussion of this idea.

Francis Ngadi, the Student Council president, in his opening remarks, said that sexual harassment and discrimination are impermissible and that the Student Council will not permit such behavior at JJ. He also noted that lockers are being broken into and warned all to be cautious.

James Scully, director of Security, said that as of September 1, 1992, a Federal law requires that campus crimes must be disclosed to students and employees and to applicants to the college and to potential employees. Also, as of this past September, an amendment to the NYS Education Law requires all colleges to have a committee on sexual assault on campus which must disseminate information on how to prevent sexual assault. He reported that the committee has produced a pamphlet on date rape and has screened a film on the subject last month. Films on holiday season crimes will be shown on November 21 and December 4.

Farris Forsythe, the Affirmative Action Officer and Title IX Officer, spoke about sexual harassment at the workplace and about a John Jay panel of students, faculty, and staff, any of whom a person who feels he or she has been sexually harassed may speak to and with whose help a charge may be filed, if the person wishes. Everyone may speak to her directly, as well.

Julia Bryant, the director of public relations, urged students to be cautious about whom they spend time with, to communicate clearly, and to keep the date rape brochure handy because of the list of rape centers and hotline numbers.

P. Santiago, a student, said he has successfully sued John Jay (the case has been settled, he said) about his books having been stolen from his locker during the last student takeover.

Reginald Seabrook, a student, said that security issues are not new at John Jay and that information must be more widely disseminated than at a Town Meeting at which only a small portion of the student body is present.

Linea Stuart, a student, said a member of the Student Council has been "accused," in a flyer, of sexually assaulting another student. Mr. Ngadi said that the flyer is meant to tarnish his own reputation, and that he is not guilty of any wrongdoing.

A student spoke in praise of African-American Studies Professor Yusuf Nuruddin, saying he has helped her understand black pride.

Another student said he attends Professor Nuruddin's class and loves it.

Town Hall notes - p.2

A student praised Professor Nuruddin's African-American Psychology class saying that although it is a 100-level course it is taught on a graduate school level and said Professor Nuruddin should be retained at JJ.

Professor Jannette Domingo, chair of the African-American Studies Dept., said that the students do not know all of the facts and that personnel matters are confidential.

A student noted that men can be date raped in some work situations when the woman requests sex from a man who works for or with him. Farris Forsythe said that what is being described is sexual harassment, not date rape, and that both men and women who are sexually harassed have recourse to a remedy.

A student spoke of need for financial aid for herself and for the college. President Lynch said we are pushing hard for more money for John Jay.

Robert Melendez, president of the Islamic student Society, said Professor Nuruddin has over-subscribed courses, none of the students are alienated in his classes, and he is a father to the students.

A student at the New School, who is also taking courses at JJ, said she is taking Professor Nuruddin's class and that as a consumer of courses students should get the best teachers and that Professor Nuruddin is a fine teacher.

Maribel Nieves, a student, said mathematics and language labs seem to have few people to assist students. The computer lab and the sauna should have extended hours. More tutors for math are needed. The Student Council needs to see to it that the telephone in their office is answered.

Reginald Holmes, a student, said he supports Professor Nuruddin, whom he called a charismatic and capable teacher and said that students love him.

The president of the Organization of Black Students said that John Jay is a racist institution and that OBS wants to keep Professor Nuruddin at John Jay.

Professor Zao Maliwa, African-American Studies Department, suggested that we debate the issue of racism and suggested we discuss the issue of Professor Leonard Jeffries.

Mr. Ngadi said that discussion is good when it leads to understanding.

Provost Wilson said that discussion about contending schools of thought and perspectives is essential to the university. He also explained that Professor Nuruddin is on a substitute line and that substitute lines are under strict regulations set by the CUNY Central Administration at 80th Street. He also spoke about the strict requirements for searches and the confidential nature of the personnel process.

Ron Quarterimon, vice president of the Student Council, said that John Jay should keep Professor Nuruddin. He also said that students need to have full representation on the P&B Committee and on search committees.

President Lynch and Mr. Ngadi made closing summary statements.