

FACULTY SENATE MINUTES #77

John Jay College of Criminal Justice

May 20, 1992

Time: 3:00 PM

Room 630T

Present (27): Michael Blitz, James Bowen, Dorothy Bracey, David Brandt, Orlanda Brugnola, James Cohen, Edward Davenport, Vincent DelCastillo, Henry DeLuca, Robert DeLucia, Janice Dunham, Lotte Feinberg, Robert Fletcher, Elisabeth Gitter, Lou Guinta, Karen Kaplowitz, John Kleinig, Tom Litwack, Rubie Malone, Jill Norgren, Rick Richardson, John Pittman, Douglas Salane, Olga Scarpetta, Chris Suggs, Antoinette Trembinska, Agnes Wieschenberg

Absent (11): Arvind Agarwal, Peter DeForest, Migdalia DeJesus-Torres de Garcia, Jannette Domingo, Dan Juda, James Malone, Dagoberto Orrantia, Altagracia Ortiz, Lydia Rosner, Edward Bhaughnessy, Martin Wallenstein

AGENDA

1. Announcements from the Chair
2. Approval of Minutes #76 of the May 13 meeting
3. Election of Executive Officers
4. Proposal to create a Senate committee on adjuncts:
 Senator Rick Richardson
5. Election of the 6-member faculty panel for the Student Disciplinary Committee (aka Judicial Committee)
6. Proposed resolution on the planned rental of JJ Theater to the Shubert Organization: Senators Orlanda Brugnola and John Pittman
7. Proposed resolution that the Faculty Senate carry out all College responsibilities designated by the Board of Trustees Bylaws to the "appropriate faculty governance body" and the "appropriate faculty body",
 Pres. Karen Kaplowitz
8. Proposed resolution on monies accrued from rental of college facilities: Senator Jim Cohen
9. Invited Guest: President Gerald W. Lynch
10. New Business

1. Announcements from the Chair [Attachment A]

President Kaplowitz called the first meeting of the 1992-93 Faculty Senate to order and introduced the members of the Senate. She explained that Vice President Janice Dunham is going on sabbatical leave in September but remains the elected representative of the Library until that Department holds its election on May 27: because student demand on the Library faculty is so intensive at the end of the semester, the Library faculty are waiting until final exam week is over

before they hold their department meeting and elections. She thanked VP Dunham for her wonderful work on the Senate and the Senate applauded her. President Xaplowits also explained that Recording Secretary Timothy Stevens is also beginning a sabbatical leave in September and is not a member of the new Senate. Nonetheless, he is carrying on a particularly generous and collegial Senate tradition: as the outgoing Recording Secretary he is taking the minutes of the first meeting of the new Senate, so that the person elected to the position can have the summer to familiarize himself or herself with the laptop computer on which the minutes are recorded. The Senate applauded Professor Stevens and the excellent minutes he has provided. President Kaplowitz also praised Corresponding Secretary Michael Blitz, who is a member of the 1992-93 Senate. Senator Norgren spoke of the great progress of the Senate and praised all its members.

The Senate was directed to written announcements [Attachment A]. In addition, President Kaplowitz reported that at the direction of the Senate, at its May 13 meeting, the senate's executive committee informed Dean Eli Faber about the Senate's concerns about the Curriculum Committee's proposal for renumbering courses, a proposal that was on the agenda of the May 18 College Council. She said that the Senate's executive committee and Dean Faber worked together to resolve every issue raised by the Senate and that the amended proposal was approved by the College Council. On the other hand, the proposal to permit a department to vote its exemption from the limit on terms of office for College Council service did not receive the 75 percent affirmative vote needed for a Charter amendment.

She announced the results of the at-large P&B run-off election: Professors Phil Bonifacio (Counseling and Student Life) and Maureen Wilson (Foreign Languages & Literature) were elected; Professor Eli Silverman (Law, Police Science, & CJ Adm) had already been elected to an at-large position.

The results of the election to the Committee on Honorary Degrees were also announced: Professors Jane Bowers (English); Jannette Domingo (African-American Studies/Economics); Carol Groneman (History/TSP); and Robert Panzarella (Law, Police Science, & CJ Administration). These four join Professors Barry Latzer (Government), Natalie Sokoloff (sociology), and Maria Volpe (Sociology), who are completing their 3-year term of office this year.

President Kaplowita reported that she and Corresponding Secretary Michael Blitz met with Provost Wilson and she asked Senator Blitz to report about the issues they discussed. Senator Blitz said that Provost Wilson has given his support to the Senate's request for faculty access to both buildings at all times and that Vice President John Smith is developing identification cards for faculty who request 24-hour access. Provost Wilson asked the Senate to compile a list of faculty who wish year-round 24-hour access and to forward the names to him; he, in turn, will forward the names to VP Smith who will provide the special ID card. Senator Norgren suggested that a phonemail message be sent to the faculty inviting them to request access. The Senate concurred with this proposal.

Senator Blitz also reported that at the Senate's executive committee's request, Provost Wilson has worked with

VP Smith on resolving the fax issue. VP Smith has since developed new policies ensuring that no one will read incoming or outgoing faxes. A fax machine accessible to faculty is being purchased for North Hall, probably to be placed in the first-floor mailroom. Senator Blitz also reported that Provost Wilson, again in response to the senate's having raised this issue, has resolved the issue of graphic design work for faculty. He explained that Gary Zaragovich, the graphic artist, has been inundated with work requests from the administration. Given the work overload, Mr. Zaragovich was instructed to reject work requests from faculty, including requests for fliers for new courses, etc. This directive has been lifted and faculty requests will once again be accepted. Senator Gitter asked whether the original directive had arisen as the result of overuse by particular faculty. Senator Blitz said that he and President Kaplowitz had ascertained that that had not been the case.

2. Approval of Minutes #76 of the May 13 meeting

Upon a motion duly made and seconded, Minutes #76 of the May 13 meeting were approved by unanimous vote.

3. Election of Executive Officers

President: Karen Kaplowitz was nominated for the position of Senate President and was elected by acclamation.

Vice President: Michael Blitz and Orlanda Brugnola were nominated. Michael Blitz was elected.

Recording Secretary: Olga Bcarpetta was nominated and elected.

Corresponding Secretary: Edward Davenport was nominated and elected.

[President Lynch's executive secretary transmitted a message to President Kaplowitz during the elections; at the conclusion of the elections, President Kaplowitz reported that she had been informed that President Lynch regrets that he is unable to meet with the Senate today, as scheduled. Asked by Senator Guinta whether President Lynch's unavailability violates the Charter, President Kaplowitz said that the Charter does stipulate that the President of the College and the Faculty Senate shall meet at least once a semester to discuss issues of importance to the faculty. Yet President Lynch has met with the Senate only once this academic year. She said his inability to meet with the Senate is particularly regrettable since there are several issues on today's agenda that would benefit from a discussion with President Lynch.]

4. Proposal to create a Senate committee on adjuncts:
Senator Rick Richardson [Attachment B]

Senator Richardson said that as an at-large adjunct

representative to the Senate he recommends that the Senate form a permanent Senate Committee of Adjunct Issues. He spoke of his desire to bring the adjuncts together, noting that many adjuncts feel that the life of the College is concentrated upon the full-time faculty. He drew the Senate's attention to his proposal [Attachment B] and moved the issue. Senator Guinta asked about the kind of work he envisions for the committee. Senator Richardson replied that the first project should be a thorough statistical survey of the adjunct faculty, the results to be reported to the Senate. Senator Cohen said that this is an excellent idea, especially since there are so many adjuncts, and he called this an area in which the Senate could provide leadership. Senator Norgren noted that there is a valid and continuing interest about issues involving the adjunct faculty. Asked if membership would be restricted to Senate members, it was explained that the Senate Constitution limits Senate Committee membership to senators. Senator Bcarpetta urged the creation of this committee and urged that full-time faculty serve on the committee as well as adjuncts. The question was called. The motion to create such a committee passed by unanimous vote.

5. Election of the 6-member faculty panel for the Student Disciplinary Committee [aka Judicial Committee]

President Kaplowits explained that in March, the Board of Trustees approved an amendment to Section 16.5 of the CUNY Bylaws having to do with student disciplinary procedures: each College is to have a five-member student disciplinary committee (known at John Jay as the Judicial Committee), comprised of one of three rotating chairs, each of whom is to be a member of the instructional staff; two faculty who are to be chosen by lot from a panel of six faculty elected by the "appropriate faculty body"; and two students, chosen by lot from a panel of six students elected in an election open to the entire student body. The committee adjudicates such charges against students as plagiarism, cheating, theft of property, vandalism, disruptive behavior, misappropriation of funds, etc., that are brought by other students or by faculty, staff, or administrators.

President Lynch has appointed the three rotating chairs upon consultation with Vice President Witherspoon, who has consulted with the Senate's executive committee. The three rotating chairs will receive training by 80th Street's Office of Legal Affairs on evidentiary procedures, rules of evidence, etc. They are Professors Debra Baskin (Law, Police Science & CJ Administration); James Malone (Counseling and Student Life); and Dagoberto Orrantia (Foreign Languages and Literature).

Printed ballots were distributed for the election of the faculty panel of six. Senators were asked to vote for six of the eleven nominees. The six faculty members elected by the Senate to the new student disciplinary committee (the Judicial committee) are: Professors Jane Bowers (English), Betsy Hegeman (Anthropology), Zelma Henriques (Law, Police Science, CJ Adm), Richard Koehler (Law, Police Science, CJ Adm), Barry Latzer (Government), Timothy Stevens (English).

6. Proposed resolution on the Planned rental of the JJ Theater to the Shubert Organization: Senators Orlanda Brugnola and John Pittman [Attachments C & D]

The issue of renting John Jay's theater was summarized as was the Senate's preliminary discussion about the issue at the May 13 meeting. [See pp. 8-10 of Faculty Senate Minutes #76.]

Senator Brugnola drew the Senate's attention to a proposed resolution drafted by herself and Senator Pittman [Attachment C] and she asked that the following words be added at the end: "and that any renewal of such lease must have the approval of the Theater Lease Committee." She added that the motion takes into account the issues raised during the last Senate discussion. Senator Pittman noted that the first "Whereas" clause delineates the position from which the motion proceeds, that is, that the primary purpose of college property is to support the academic mission of the college. He pointed out that leasing the theater would mean that the college would have no further control over the theater, except for collecting funds for its use by an outside organization. The basic purpose of the resolution is that the process for leasing the theater should be determined by a committee composed primarily of faculty since they are directly involved in the academic mission of the college.

Senator Brugnola noted that at the May 13 discussion of this issue by the Faculty Senate, the Senate had not been apprised of important information: earlier in the semester, prior to May, the faculty of the Speech and Theater Department and then the faculty of the Art, Music, and Philosophy Department voted, almost unanimously, to support the rental of the theater to the Shubert organization.

President Kaplowitz reported that she and Senator Blitz; have been informed that the administration expects to sign the rental lease with the Shubert organization within the next five weeks. She also reported that the fiscal outlook has worsened in the past few weeks in that 80th Street has just announced a one percent holdback for every CUNY college: one percent of each college's budget is to be held back until the Spring when it will be released if the fiscal situation, as determined by 80th Street, has sufficiently improved. For John Jay, this means an additional holdback (or budget reduction) of \$200,000. She added that some members of the administration estimate that the yearly revenue from the rental of the theater to the Shuberts would be approximately \$100,000, the Shubert's initial offer, and could be as much as \$200,000, the College's anticipated counteroffer.

She also reported that the Chair of the Speech and Theater Department, Professor Ray Rizzo, has projected that the proposed black box theater, to be built to partially compensate for the loss of the theater for student productions, would cost \$75,000 to build: Provost Wilson, however, has reported that the College anticipates spending \$5,000 for a black box theater, which had been the original estimate. The (acting) chair of the Art, Music, and Philosophy Department, Professor Marlene Park, has projected that a music laboratory, to replace the theater for student music performances, will cost \$125,000. Administrators, however, deny there are plans to build a music laboratory.

President Kaplowitz said that she consulted with the chair of the University Faculty Senate, Professor Robert Picken, who expressed deep reservations about the projected rental and said he expected that the Board of Trustees would have to approve such a contract. He also expressed surprise that the faculty of two departments'-- Speech & Theater and Art, Music, and Philosophy -- had voted to rent the theater to the Shuberts.

Professor of Music Daniel Paget (Art, Music, and Philosophy) said that he believes that both departments had been influenced by their belief that they could not affect the outcome of the matter. Senator Gitter asked why, then, did the two departments vote on the issue. Professor Paget said that the fear was that if they voted against rental, the rental would take place anyway and they would not get any facilities to replace the theater; if, however, they voted to support the rental, they would at least get the substitute facilities (the black box theater and the music lab) they had been promised. Professor Paget noted that the departments felt the need to discuss the issue and to take some action, but that they were not happy with the decision to rent.

Professor Paget added that a vision for the use of the theater had never been developed. He pointed out that the Theater Committee, which is chaired by Vice President John Smith, had met only once, when it was first formed, but never again. He described the original hopes for the theater as being the traditional use of such theaters. He asserted that such use is not the purview of any individual department, but rather of the entire college. He said that in order to pursue this goal there should be at least a committee and eventually a theater manager charged with developing ways to put the theater to its proper use. The theater should be considered part of the academic milieu of the college and, as such, it transcends the interests of the individual departments involved.

senator Norgren asked if we had a legal opinion on this matter. President Kaplowitz said that she would look into the question of the legality and that she had hoped to raise this and similar questions with President Lynch today. Senator Norgren asked if, for example, the Cardiovascular Fitness Center could be leased to an outside organization. President Kaplowitz replied that she has just learned that the swimming pool is leased to at least one outside profit-making organization, which charges clients for physical therapy sessions in the pool. But the pool is not leased for the year-long exclusive use of this outside organization. Senator Norgren proposed getting a legal opinion and said that it is important to discover whether if an appropriate academic use were found for the facility, which use would receive preference. She noted the danger of the administration handing over use of college facilities to the outside. She noted the difficulty of finding permanent space at the college for a Women's Center and the practice of closing the cafeteria for an outside meeting, etc.

President Kaplowitz reported that earlier that day she had attended the weekly meeting of the President's Cabinet and that President Lynch had announced to the Cabinet what he termed a new policy about the use of college space: the new policy is that if a member of the college reserves a room for

a meeting, an event, etc., and that room is later needed by an outside group, the original reservation will be cancelled and the John Jay person or group who reserved the room will be moved to a different space. The Senators expressed their unanimous disagreement with this new policy and President Kaplowitz said that the Senate's executive committee would meet with President Lynch or would write to him conveying the Senate's disagreement with the policy. Senator Norgren said that next the administration will be moving us out of our classrooms so outside groups can be accommodated. Senator Gitter responded that that has already happened to her this year: during the middle of the semester she was told that her classroom had been leased to an outside agency and that her course was being moved to a different room. She said she absolutely refused to move.

Senator Wieschenberg noted that John Jay has lecture halls on the first and the fourth floors of North Hall and asked how often the theater has been used by John Jay. She also wondered whether the rental price might justify the rental. Senator Brandt wondered who has the chief responsibility for deciding use of college property and said he felt that if the theater had been used heavily this would not have arisen.

President Kaplowitz suggested that the utilization of the theater is not as clear cut an issue as one might assume. This last year many who wanted to reserve the theater for their activities were denied use of that facility; instead, their events were assigned to the student cafeteria or other spaces. She also noted that in the recent past, the English Department held a poetry festival in the theater, student clubs had speakers there, the Fashion Club held its annual show there, we had a speak out in the theater at the time of the third student takeover, the dedication of the Lloyd Sealy Library took place there, as did the retirement ceremony for VP John Collins, and freshman orientation is held there.

She also noted that the original blueprints called for a theater that could be made into a smaller house through the use of movable walls but those components were never built. One problem, she said, is that the 650-seat theater is really too large a house for student plays which are attended by small numbers of people and the real problem is that the new building has only the one theater which was built as a state-of-the-art professional theater even though we do not offer majors in the performing arts. But, she added, the decision to build such a theater was made by the administration which now proposes to rent it to a non-John Jay organization.

Senator Litwack said that it seems clear to him that the College Council has the primary responsibility for making such decisions. Senator Suggs stated that we should seriously consider mounting an all-out effort to prevent the lease from happening. He pointed out that there are few public spaces for use by the members of the college. He felt that it is a shame that the Theater Committee and the academia departments involved would condone the rental of this space to an outside organization. He said that it is absolutely unconscionable to do this in a university.

Senator Gitter said that the decisions of the two academic departments are irrelevant. She noted the attempt

by a member of the Thematic Studies Department, a playwright who teaches drama, to use the theater and that his requests were turned down. She felt that this is a crucial issue. She urged a resolution by the Faculty Senate in opposition to the rental but she also suggested that the Senate consider whether there might be any circumstances under which we would support rental.

Senator Cohen asked if a meeting of the College Budget Committee (of the P&B) had been called. Faculty Senate members who are on the PLB reported that they had not been notified of any meeting. President Kaplowitz reported that she had distributed the proposed resolution submitted by Senator Brugnola and Senator Pittman to the Council of Chairs the previous day at the Council of Chairs meeting. In response to the resolution and the issues it raises, the Council of Chairs approved a motion requesting President Lynch to call a PLB meeting to discuss the proposed rental and to not go forward with the lease until the PLB met on this issue. As of this afternoon, Professor Crozier had not had a response from President Lynch. She added that the Chairs do not support the final "Resolved" clause of the proposed resolution before the Senate, which calls for a Theater Lease Committee charged with making this decision.

Professor Paget said that in response to Senator Wieschenberg's point, there is no space in North Hall that qualifies as a theater and he noted that if we do lose the theater, there would no longer be a concert space. He acknowledged that there is no way that his department (Art, Music, Philosophy) could mount sufficient numbers of productions to make a total justification for preserving the space. He argued that it is necessary for the college to pursue a coherent strategy for use of the theater. Senator Guinta noted that this discussion parallels the Middle States self-study by the committee on the physical plant which determined that the VP of Administration has usurped faculty prerogatives in this area.

Senator Litwack noted that he had come to the meeting today ready to be persuaded that renting the theater was something the college should do. He said he is now not ready to take an absolutist position either way. However, given what he has heard, he suggests that the Senate develop and adopt a resolution, contingent on further justification by President Lynch as to why we should go ahead with the rental. He added that he, too, is opposed to the designation of a Theater Lease Committee, saying that the College Council has the proper responsibility in this matter.

Senator Richardson noted that the theater had been included in post-takeover negotiations with the students and it had been agreed that the theater is to be used for the benefit of the students. He said that the President was not forthcoming about the use of college monies and that students were routinely refused use of the theater. Senator Blitz pointed out that a successful production mounted by the Shuberts would have an undeniable momentum and would most probably lead to a much longer rental period than one year.

Senator Suggs noted that one of the problems at JJ is that administrators here do not necessarily cut good deals for us. He asked if anyone had looked at the provisions made

at BMCC and at Brooklyn College for productions in their theaters. He also noted that nothing in this motion indicates any academic benefits from a lease. President Kaplowita explained that Provost Wilson has said that internships for students interested in working in the theater were being proposed as well as a number of free tickets for faculty for each performance.

Senator Bracey asked about the opinion of the Council of Chairs. President Kaplowitz said that some chairs thought it was within the purview of the two academic departments to make the decision; others thought that it was not within their purview. Some thought rental a good idea; others did not. What they did agree to is that this is a P&B issue.

Senator Cohen moved the following resolution: Resolved, That the Faculty Senate strongly opposes the lease of the theater without prior consideration by the P&B and the College council.

Senator Litwack moved the following as a substitute resolution: The Faculty Senate Resolves, That

- 1) The John Jay Theater should not be leased without the approval of the College (Personnel and) Budget Committee and the College Council if such leasing would significantly impede or impair the use of the Theater by the John Jay community; and
- 2) Under no circumstances should the Theater be leased for a period that could extend beyond one year; and
- 3) If the Theater is leased, at least 90 percent (ninety percent) of the monetary payment to the College of such a lease shall accrue to the academic program of the College as defined by the Faculty Senate; and
- 4) Any renewal of such lease must be approved in advance by the College Council.

Senator Cohen accepted Senator Litwack's motion as a replacement of his motion.

Senator Norgren spoke in support of Senator Litwack's resolution. She added that it is not clear to her why we should lease the theater at all. She wondered about the response of the Central Administration at 80th Street and the press were they to learn that a facility built with tax levy money was being rented to a non-CUNY organization for its exclusive use. Senator Suggs replied that 80th Street charges the presidents with overseeing the use of college facilities.

President Kaplowita asked Senator Litwack if he would be willing to further amend his motion to include preliminary "whereas" clauses explaining that the Senate has no direct information from President Lynch about the proposed theater rental and has never been given justification for the rental in light of the concerns being raised and has been unable to ask him about the proposed rental because he was unable to attend today's Senate meeting. She said that in this way it would be clear that the Senate tried to be more fully

informed and is interested in being open to the proposal and amenable to consultation. She suggested the following language:

Whereas, President Lynch was scheduled to meet with the Faculty Benate on this day, at which time the Faculty Benate planned to discuss the proposed leasing of the John Jay Theater to the Shubert Organization, and, Whereas, President Lynch (through his staff) informed the Faculty Benate during the Senate meeting that he would not be meeting with the Senate, and, Whereas, Therefore, the Faculty Benate has not received a justification, satisfactory or unsatisfactory, from President Lynch for such leasing of the John Jay Theater, therefore the Faculty Senate of John Jay College of Criminal Justice Resolves. . . .

Senator Litwack accepted the amendments. The question was called. The motion passed with 2 opposed, and 2 abstaining. [Attachment D]

7. Proposed resolution that the Faculty Benate carry out all Colleeae responsibilities designated by the Bylaws to the "appropriate faculty governance body" and the "appropriate faculty body": Pres. Karen Kaplowitz [Attachment E]

President Kaplowitz explained that originally the College Council, in the absence of an official faculty organization, had been given responsibility for fulfillin the role assigned by the Bylaws to the faculty, although 'in such cases it should have been the entire faculty who voted on such matters. But now we have a Faculty Senate, which is an official body and which is the "appropriate faculty body" by virtue of its membership, its Constitution which was ratified by the faculty, and its recognition by the Board of Trustees. Therefore, those rights and responsibilities should devolve upon the Benate. The resolution was moved and seconded. The motion passed by unanimous vote. [Attachment E]

8. Proposed resolution on monies accrued from rental of colleae facilities: Senator Jim Cohen [Attachment F]

The proposed resolution was moved and seconded. It was described as particularly apt in light of the proposed rental of the theater. The motion passed by unanimous vote. [Attachment F]

9. Invited Guest: President Gerald W. Lynch

[President Lynch's secretary informed the Senate during the meeting that President Lynch regretted that he would be unable to meet with the Senate.]

By a motion duly made and seconded, the meeting was adjourned at 5:00 PM.

Respectfully submitted,
Timothy Stevens
1991-1992 Recording Secretary

Announcements from the chair

Middle States Steering Committee meets with council of Chairs

On May 6, the Middle States Steering Committee met with the Council of Chairs, having already met with the President's Cabinet and with the Faculty Senate. The following are the comments reported by the Council of Chairs of that meeting:

"The Council met with the Middle States Steering Committee, represented by Dean Rothlein, Professors Moran and Rosner, and Mr. Cockburn.

"While the Chairs praised the abilities of the administration in certain areas and the work of the Senate and the Budget Planning Committee, they also identified problems that begged for solution. Among these were the administration's lack of consultation with the Chairs, the continuing absence of on-line registration, the weaknesses of the College Council as a governing body, especially the presence on the Council of members with no academic qualifications and with no part in the academic process but who nevertheless vote on academic matters, the deplorable number of college committees (95). The also noted the number of administrators who report directly to the President rather than to the vice presidents.

While the President was praised for being available socially, when it came to college matters, especially budget matters, his dance card was filled. His availability to individual faculty members leads some to conduct end-runs and to seek to overturn the Provost's and others' decisions. Moreover, the President tends to give his consent without designating anyone in the administration to follow up.

"The gulf between the Budget Planning Committee and the administration was repeatedly underscored, a gulf bridged only through successful personal contacts. There is no structured dialogue between the Committee and the administration. Administrators consult the Budget Planning Committee about how to cut the academic budget, but not about how to make the budget. For the past three years, the College P&B has been told only what the President plans to do.

"There is an 'Academic Six.' There is no flow of information from this group.

"The Chairs made a number of recommendations. The administration should institutionalize regular ways of consulting with faculty bodies. The Executive Committee of the Council of Chairs should meet an hour every week with the Provost. The Budget Planning Committee should meet every two weeks with Mr. Sermier and Vice President Smith. The College should have a readily understandable line item budget that includes non-tax levy money in order to dispel the suspicion and distrust it engenders. Soft money should be publicly accounted for. Chairs now supervise overwhelming numbers of adjuncts. Since it does not appear that the College's reliance on adjuncts will soon abate, Chairs should appoint adjunct coordinators who would be given released time to monitor the adjuncts, who should receive extra pay so that they can be required to attend meetings.

"The meeting ended harmoniously with the observation that the Council had helped to regularize procedures, such as the allocation of lines, that were once as remote from scrutiny as non-tax levy money."

ATTACHMENT B

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May 8, 1992

TO : KAREN KAPLOWITZ

FROM: RICK RICHARDSON

RE: AGENDA ITEM FOR THE MAY 20TH MEETING OF THE NEW FACULTY SENATE

I propose the formation of a permanent Adjunct Faculty Issues Committee within the Faculty Senate. The mandate for such a committee would be to discern and define for the Senate issues of import to Adjunct faculty, and to recommend to the Senate action towards the remediation of issues, where possible.

I believe the Senate, by creating this committee, will send a much needed message to the part-time faculty here at John Jay. A message that says, "you are not forgotten, the system works for you too."

I am willing to devote time and energy to this committee, and I'm sure that others will be as well. I ask that this item be put on the agenda for consideration at our May 20th faculty meeting.

Sincerely,

Rick Richardson

PROPOSED RESOLUTION ON THEATER LEASE
(submitted by Brugnola and Pittman)

WHEREAS the John Jay College theater is a significant resource of this educational institution and should be primarily employed in furtherance of the educational mission of the College -- for the staging of productions that complement and enhance the academic curriculum, and is also available as a resource **for** the college community and the larger community the college is dedicated to serving and

WHEREAS in times of fiscal exigency and the threat of retrenchment, it is understandable that the Administration would seek ways in which the revenues of the college might be increased and

WHEREAS the leasing of the theater will alert the theater community of the desirability of the space John Jay College has to offer and thus facilitate the task of a future John Jay Theater Manager who can arrange a theater rental schedule which will accommodate the College's needs while still assuring satisfactory revenue and

WHEREAS the monies generated from a lease of the Theater may serve as undue influence to continue such a lease after one year despite the academic interests of the College

THEREFORE RE IT RESOLVED that the leasing of the Theater must provide funds which will be allocated as follows:

- 1) to construct a top quality "black box" in which John Jay College students will be able to mount relatively sophisticated productions
- 2) to install a state-of-the-art music laboratory **for** John Jay College students
- 3) to assuage any cuts in funding **for** adjuncts resulting from declaration of fiscal exigency by the University and

BE IT RESOLVED that in no case shall more than ten percent of the monies generated by the leasing of the Theater be allocated to other than the academic programs of the College and

BE IT RESOLVED that the Theater should only be leased on a year-to-year basis and renewal of such lease be considered only in the event that the presently declared fiscal exigency remains in **force** and

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BE IT RESOLVED that the Faculty Senate considers it essential that prior to the end of the present academic term, a Theater Lease Committee be formed which will review the leasing of the theater to ensure that due consideration will be given to the impact of such a lease in terms of the mission of the College, such committee to be made up as follows: Chair of Speech & Theater, Chair of **Art**, Music and Philosophy, Chair of Chairs, Chair of Budget & Planning Committee, Two members of Faculty Senate, Two members of Student Government, Two members of the Administrative staff of the College.

Resolution of the Faculty Senate
on the Proposed Rental of the Theater

WHEREAS, President Lynch was scheduled to meet with the Faculty Senate on this day, at which time the Faculty Senate planned to discuss the proposed leasing of the John Jay Theater to the Shubert Organization, and

WHEREAS, President Lynch (through his staff) informed the Faculty Senate during the Senate meeting that he would not be meeting with the Senate, and

WHEREAS, Therefore, the Faculty Senate has not received a justification, satisfactory or unsatisfactory, from President Lynch for such leasing of the John Jay Theater, therefore the Faculty Senate of John Jay College of Criminal Justice

RESOLVES, That

- 1) The John Jay Theater should not be leased without the approval of the College (Personnel and) Budget Committee and the College Council if such leasing would significantly impede or impair the use of the Theater by the John Jay community; and
- 2) Under no circumstances should the Theater be leased for a period that could extend beyond one year; and
- 3) If the Theater is leased, at least 90 percent (ninety percent) of the monetary payment to the College of such a lease shall accrue to the academic program of the College as defined by the Faculty Senate; and
- 4) Any renewal of such lease must be approved in advance by the College Council.

Approved by the Faculty Senate: 20 May 1992

To: Faculty Senate
From: Karen Kaplowitz

ATTACHMENT E

WHEREAS, The Bylaws of the Board of Trustees specify and entrust certain responsibilities and duties to be performed by the "appropriate faculty governance body" or the "appropriate faculty body," and

WHEREAS, The Faculty Senate is recognized by the faculty of John Jay, by the administration of John Jay (as codified in the College's Charter of Governance), and by the Board of Trustees as "the voice of the faculty when making recommendations to the College Council, to administrative officials, or to other components of the College and the University, consistent with C.U.N.Y. by-laws, the Professional Staff Congress contract and academic freedom" (Faculty Senate Constitution: Article I), and

WHEREAS, The College Council is not the appropriate faculty governance body nor the appropriate faculty body by virtue of the fact that only 50 percent of the seats on the College Council are allocated to faculty and the other 50 percent are allocated to students, administrators, staff, and others, therefore be it

RESOLVED, That the Faculty Senate affirms that the Faculty Senate is the "appropriate faculty governance body" and the "appropriate faculty body" and be it further

RESOLVED, That the Faculty Senate affirms that it is the body responsible for electing the panel of faculty for the Student Disciplinary Committee; the Auxiliary Services Board; the Corporate Board; and for all other entities that require election by the appropriate faculty body, and be it further

RESOLVED, That new faculty panels for the Auxiliary Services Board and for the Corporate Board be elected by the Faculty Senate in September 1992 and that immediately upon such elections, President Lynch shall choose the faculty members of those Boards from among the panels elected by the Faculty Senate and that those faculty members shall assume their place on those Boards immediately.

Approved by the Faculty Senate: 20 May 1992

Explanation: Until now, the College Council has elected the faculty panel for the Auxiliary Services Corporation and the faculty panel for the Corporate Board despite the Bylaws:

The Auxiliary Services Corporation, which allocates over \$100,000 yearly, is comprised of "at least eleven (11) members . . . composed of the college president or his/her designee as chair, plus an equal number of students and the combined total of faculty and administrative members . . . The faculty members are appointed by the college president from a panel whose size is twice the number of seats to be filled and the panel is elected by the appropriate college faculty governance body . . ." (Board of Trustees Bylaws: Section 16.10)

The Corporate Board [aka College Association], which allocates over \$1 million annually (from student activity fees), is comprised of thirteen (13) members including "three faculty members appointed by the college president from a panel whose size is twice the number of seats to be filled and the panel is elected by the appropriate college faculty governance body" (Board of Trustees Bylaws: Section 16.5)

ATTACHMENT F

To: Faculty Senate
From: Senator Jim Cohen
Chair, Senate Fiscal Advisory Committee

Resolution of the Faculty Senate

WHEREAS, John Jay College's buildings and facilities have been built, leased and maintained with tax-levy money, therefore be it

RESOLVED, That the Faculty Senate requests that the administration of John Jay College provide an accounting for fiscal year 1991-1992 of all revenues by source as well as an accounting identifying those to whom control of these revenues have been allocated (and the amount of revenues allocated to each of these persons), and be it further

RESOLVED, That the accounting include all building rentals, including but not limited to the theater, gymnasium, lecture halls, rathskeller, cafeteria, swimming pool, cardiovascular fitness center, faculty dining room, gymnasium, tennis court, president's office, other administrators' offices, criminal justice center, and classrooms, and be it further

RESOLVED, That the accounting also include all IFR [Income Fund Reimbursable] revenues accrued from the use of College space and other facilities of the College, including but not limited to the filming of commercials, movies, television shows and television pilots, photography shoots; training sessions; conferences; meetings; athletic events; theatrical and musical productions; and be it further

RESOLVED, That this accounting for the 1991-1992 year (which ends June 30, 1992) be transmitted to the President of the Faculty Senate by August 1, 1992.

Approved by the Faculty Senate: 20 May 1992