

**Faculty Senate Minutes #460  
John Jay College of Criminal Justice**

**Friday, December 2, 2016**

**10:00 AM**

**Moot Court NB**

**Present (33):** Chevy Alford, Andrea Balis, Rosemary Barberet, Ned Benton, Michael Brownstein, Kashka Celinska, Glenn Corbett, Sven Dietrich, Artem Domashevskiy, DeeDee Falkenbach, Terry Furst, Leigh Graham, Jonathan Gray, Maki Haberfeld, Anru Lee, Jay Hamilton, Karen Kaplowitz, Maria Kiriakova, Lou Kontos, Tom Kucharski, Yue Ma, Vince Maiorino, Aida Martinez-Gomez, Mickey Melendez, Lorraine Moller, Brian Montes, Elizabeth Nisbit, Peter Romaniuk, Lauren Shapiro, David Shapiro, Francis Sheehan, Rebecca Weiss, Guoqi Zhang

**Absent (14):** Mark Alpert, Katherine Arnoldi, Ellen Belcher, Lisa Farrington, Joel Freiser, Erica King-Toler, Thurai Kugan, Xerxes Malki, Gerald Markowitz, Frank Pezzella, Belinda Rincon, Charles Stone, Fritz Umbach, Daniel Yaverbaum

**Invited Guests:** UFS Chair Professor Kay Conway, Professor Nathan Lents

**Agenda**

- 1. Adoption of the agenda**
- 2. Announcements & Reports**
- 3. Approval of Minutes #459 of the November 22, 2016, Faculty Senate meeting**
- 4. Review of the agenda of the December meeting of the College Council**
- 5. Election of committee members**
- 6. Faculty Personnel Committee agenda for December 9, 2016**
  - Timing Change for Pre-Tenure Review
  - Pre-Tenure Proposed Policy
  - Proposed Amendments to the FPC Guidelines for Teaching
- 7. San Francisco Declaration on Research Assessment**
- 8. Invited Guest: UFS Chair Kay Conway**
- 9. Consideration of candidates for Honorary Degrees: Invited Guest: Professor Nathan Lents, Chair, Committee on Honorary Degrees**
- 10. Discussion of the Presidential Search**
- 11. New Business**

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

**2. Announcements & Reports.** Noted.

Announcements-- pres search comm -- open meetings to hear from community

**3. Approval of Minutes #459 of the November 22, 2016, Faculty Senate meeting.** Approved.

**4. Review of the agenda of the December meeting of the College Council.** Noted.

**5. Faculty Personnel Committee agenda for December 9, 2016**

- **Proposed Timing Change for Pre-Tenure Review**

President Benton reported that the FPC is considering changing the date for the pre-tenure review to the third year instead of the fourth year, which is when it is now done. He spoke of his concern about this proposal as it seems to set faculty up for failure although there is some value to having guidance earlier as long as there is sufficient notice of the review.

Senator Tom Kucharski said that when he was on the FPC, he never knew how to vote on faculty coming up for reappointment because there was insufficient guidance so he thinks it is a good idea to move the process up a year. Senator Rosemary Barberet agreed on moving it up but added that whoever does the review needs to develop different and more lenient criteria if the review is after only three years. President Benton suggested it should be more of a review of the faculty member's plan for future years rather than the work of the candidate up to this early point. Senator Barberet reiterated that there needs to be criteria for the review and that there have been no criteria until now. President Benton said that he is hearing the sense that there's no objection to the idea of the change. Senator Leigh Graham said candidates don't understand the process, which should therefore be more transparent. She said it is not clear how much service is expected at each level nor how much research; if the criteria aren't clear when candidates go up for tenure, they won't be clear at year 3, she said.

Senator Kucharski said that most candidates are successful. This proposal is really for those candidates that are in trouble. He added that the chair should know if a candidate is in trouble and, if not, the chair isn't doing their job. Senator Barberet said there are only two Form C's for the chair and reviewer to look at because the Form C is due in September but the review is conducted in August. Senator Jay Hamilton spoke of his concern about the fact that the review is taking place at the beginning of the fall semester, which is a very busy time; it should take place the previous spring.

President Benton proposed that the Senate should make the following statement to the FPC: (1) there is a lack of consultation with candidates; (2) there is confusion about the CUNY policy itself; (3) there is a problem with the deadline sequence; (4) the affected faculty should be polled as to what they think of the proposed change; and (5) the affected

faculty should have the option to opt-out of the earlier schedule. A motion was made and seconded to issue this statement. The motion was adopted by unanimous vote.

- **Proposed Amendments to the FPC Guidelines for Teaching**

President Benton reported that there is a proposal for the FPC Guidelines for Teaching – Sections #15 and #16 – to be changed to include seven specific items in #15 (“Provide Evidence of teaching effectiveness and contributions to student learning”) and to add three items to #16 (“Provide evidence of student mentoring and advising.”)

Senator Barberet said these additions are the results of recommendations by the COACHE Survey Task Force. She noted that recommendations are not a checklist. She said that it’s ridiculous to now require us to give the number of students enrolled in each of our course sections during the past five years, as an example. Senator Lauren Shapiro said it should be made clear that the items listed are recommendations; they should be meant as guidance for us as we teach. Senator Leigh Graham said guidance should be different for graduate courses than for undergraduate courses. She raised a question about the recommendation regarding our use of student evaluations. Senator Kucharski said the list is far too specific and should be revisited. Senator Mickey Melendez agreed, saying there’s no rubric that the faculty has agreed about. Senator Graham noted that there’s so little funding for us to attend conferences and yet we’re about to be asked about our presentations about teaching at conferences. Senator Hamilton asked who proposed these changes. Senator Benton said this was written by Professor Allison Pease.

President Benton said he construed the COACHE Task Force Report as advocating a balance between research, teaching, and service, not as more emphasis on teaching, but, he added, he might have misread the Report. Senator Barberet said the recommendation is, indeed, more balance but women and faculty of color were revealed to be doing hidden work and were not getting credit for it. She said she believes the proposed changes were made in good faith but should be clearly presented as recommendations and not as demands. Senator Graham said that in graduate public management, the students have professional advisors and therefore don’t have to do any of the advisement or mentoring; therefore, the guidelines aren’t evenly applied to faculty across the disciplines.

Senator Kucharski said that he sits on the FPC Appeals Committee and if he is evaluating a candidate who has been rejected, he doesn’t look at the Form C, but rather he looks at the chair's evaluation, the dean's evaluation, and the student evaluations.

A motion was made that (1) the FPC should not approve the proposed changes; (2) the Senate commends the FPC for wanting to make things clearer for candidates; and (3) the Senate commends the COACHE Survey Task Force efforts to balance the three legs of teaching, service, and research. The motion was adopted by unanimous vote.

## **6. The use of Impact Factors at JJ and the San Francisco Declaration on Research Assessment**

President Benton said that the FPC's growing reliance on impact factors raises the following issue: if this is going to be done, how do we do it? Impact factors are controversial. Disciplines have different conventions and different norms and applying them across a campus is not a good idea, according to some.

Senator Hamilton said it should be up to the chair to bring up the issue of impact factors with a candidate but not when the candidate is already being judged by the FPC. One problem is that a candidate may choose to not to use impact factor but the candidate's department may look up the candidate's work's impact factors anyway. He asked if this was Ned's concern. President Benton said negative inferences shouldn't be drawn if candidates don't cite impact factors. Senator Barberet said she agrees but the members of a department P&B cannot be prohibited from looking up a candidate's impact factors. Senator Graham noted that different sources give different impact factors for the very same article. Senator Weiss said that the use of impact factors shouldn't be up to the candidate.

Senator Kucharski said impact factors should be considered if they are used within a discipline. But he cautioned that the older the candidate is, the more citations; if a paper was just published, then there will be few to none. He suggested that each department – and only departments -- should decide the value of a candidate's research and then each department should inform the FPC

President Benton said that he's raising this issue because he's been told by junior faculty that they must list impact factors on their Form C and when he asked them why they believed this they said they had been told by Allison Pease, in her role as advisor for the Provost to the faculty. President Benton noted that there is no mention of impact factors in the Form C or in the FPC Guidelines.

Senator Weiss said she's known to include impact factors but doesn't know how she knows to do this. Senator Chevy Alford said the representative of the Library would invariably report at the FPC how many times an article was cited in the most outstanding journals; that seems to have been the origin of the practice. She said that if everyone now knows to include them, this creates a leveling of the playing field. She said that as a double minority she appreciates this. Senator Elizabeth Nisbet said she agrees; she said we know that impact factors are silly but it is important to know they're being used.

Senator Michael Brownstein said that impact factors are different from journal-based metrics. He said we should not use journal-based metrics as a surrogate for impact factors. Senator Weiss noted there are different metrics out there and that she's uses one and explains in her Form C how it is used.

Senator Kucharski said he agrees with Ned that nothing is going through governance although it should.

President Benton said we're not jelled to the point where the Senate is ready to make a statement. We have an expectation to use impact factors and yet not a single word appears about it in the Form C or in the FPC Guidelines; additionally, there's an absence of any evidence of any department recognizing that different disciplines have different criteria.

Senator Kasha Celinska said the Library faculty gave a presentation about impact factors for FPC candidates, which was very helpful. She said they explained not only impact factors but other ways to assess research. She said the presenters said that would be willing to make their presentation to the faculty who make decisions about candidates. Senator Maria Kiriakova noted that the Library website includes all this information.

Senator Alford said that Karen Kaplowitz –as President of the Faculty Senate – ran a program that provided faculty mentors for junior faculty; she said that was invaluable.

Senator Kucharski said that until the use of impact factors goes through governance, the faculty should not be told to use them. There appears to be an expectation about their use but there's no guidance in the FPC Guidance or the Form C. How, he asked, does something become a critically important determinant that is not official and never went through governance.

Senator Glenn Corbett said his field, fire science, is a niche field compared to the others at the college and he asked whether the absence of impact factors in his field hurts candidates at the FPC. President Benton said his department, Public Management, had a candidate who was successfully tenured who was hired internationally – who conducted research across Caribbean islands and Caribbean countries – the field was cross cultural comparative emergency management. There were no journals specific to that field. The department hired this person who had to then do public management publications in order to get the impact factors rather than do the research that she was specifically trained and hired to do.

Senator Brownstein said it sounds like: (a) we need a better distribution of information to the faculty; (2) the faculty has to explain why they are publishing where they are and its impact; (3) clarify whether the FPC is relying on the same metric that the candidate and chair are themselves putting forward. In other words, we should define our concern as being about both what faculty members are supposed to be doing and what the FPC makes of that. .

Senator Hamilton said that since there is no pressing need, we should have written language and a vote about this at our next Senate meeting. President Benton said the Executive Committee will draft a resolution for our next meeting.

## **7. Discussion of the Presidential Search**

President Benton said he will forward the name of all candidates for president of the college sent to him unless the candidate is clearly inappropriate. He also suggested that the Senate survey the faculty about the qualifications we are looking for and the qualities of the person.

Senators proposed a survey of the faculty which would ask identification of the priorities of candidates' experience from among the following proposed categories:

**A. Preferred experiences of candidates:**

1. Academic institution leadership experience
2. Academic leadership experience
3. Fundraising success
4. Ph.D. or J.D.
5. Criminal justice background
6. Social justice background
7. Research background
8. Business research
9. Research experience
10. Leadership in a minority serving institution
11. Advocacy background -- for justice/for human rights/
12. Faculty experience
13. International experience
14. Political experience
15. Management experience
16. Experience at a minority-serving institution
17. Experience at a public institution of higher education

**B. Preferred characteristics of candidates:**

1. Diversity
2. Human rights
3. Shared governance
4. Student development
5. Advocacy
6. Values liberal arts education
7. Supporting and valuing faculty work and voice and supports scholarly research

**C. The direction John Jay should move toward during the next 10 years:**

1. Criminal justice
2. Social justice
3. Graduate studies
4. International
5. Liberal arts
6. Larger enrollment
7. Smaller enrollment

8. Graduate studies in the liberal arts
9. Higher admissions standards
10. Larger open admissions
11. Larger research identity
12. More grant activity

#### **8. Invited Guest: Professor Katherine (Kay) Conway, Chair, UFS**

Professor Conway praised the very active John Jay delegation to the University Faculty Senate. She reported that the consulting firm, McKinley, is at the campuses and at the Central Office looking at administration costs which is 33% of the budget. She reported that Chancellor Milliken asked the UFS Executive Committee what is the number one priority of the UFS and they answer was the hiring of more full-time faculty. She noted the COACHE Survey results show that the number one concern of associate professors is promotion to full professor and the number two priority is support for faculty mentoring.

One of the top priorities for Chancellor Milliken for the University is online education. The University's Master Plan is posted on the CUNY website as the chancellor's vision of the future. The Chancellor has professed to have read every comment about the Master Plan that was posted on the website. We are waiting to see the Strategic Plan. The Master Plan tells what the University did during the past four years; the Strategic Plan will tell what we will do during the coming four years. It goes to the presidents for feedback and then to the faculty.

The UFS spring conference is on Shared Governance and is on April 28 at John Jay. William Thompson, the new chair of the CUNY Board of Trustees will be on a panel along with the president of Queens College and Professor James Cauthen of John Jay. The keynote will be given by the president of the College of New Jersey who received the AAUP's Award for outstanding participation in shared governance.

The President of the Research Foundation (RF), Richard Rothbard, spoke at the last UFS Plenary and his presentation will be put up on the UFS website. Some UFS delegates think the presentation wasn't accurate especially about indirect cost rates. Therefore, the UFS is holding a workshop in February with Rothbard's staff. We'd like to see professors from every campus who have received an NSF grant or a NIH grant attend this workshop.

After what happened at CCNY, expenditures by its foundation were reimbursed by the RF and questions have been raised about this – William Thompson, Chair of the BoT, wrote to the NYS Inspector General to look at CUNY. The IG has visited some campuses and is going to visit more. Claims have been made that misuse of funds is rampant at CUNY. The IG's report says that at the School of Professional Studies (SPS), someone had been stealing money but this fact had not been reported to the IG, as required by law; what the report doesn't say is that the stealing was reported by CUNY to law enforcement authorities – the District Attorney -- and criminal charges had been brought. The IG's report also cited that \$35,000 was spent for a

going away party for the retiring president of Brooklyn College who also spent \$36,000 was paid for a part-time housekeeper. These may be reasonable business decisions; a college president with a house coming to CUNY without a house can reasonably expect to receive a supplement for college-related events at her home.

Professor Conway spoke about the soon to begin search for a president of John Jay. She noted that the Chancellor has put a moratorium henceforth on supplemental salary from overhead monies for college presidents. She said she asked the chancellor yesterday how this will negatively affect presidential searches and the chancellor said the salary ranges are wide enough to be competitive. She said it seems to her that there had been a desire to make the presidential salaries seem to be smaller than they are so the public wouldn't be upset by them.

The bigger issue, she said, is whether CUNY will be a stable place? Will the chancellor stay? Heads have already rolled at CUNY. Vice Schaffer Frederick Schaffer will retire on December 31. VC Jay Hershenson will be a vice president at Queens College.

She said if she were interviewing for the John Jay presidency, she would wonder what the funding situation will be, whether Milliken will still be the chancellor. She said there is corruption in Governor Cuomo's house and he is deflecting this onto others. He wants no more than a 2% increase in the state budget. By saying that CUNY is abusing and misusing money, it is easier for the governor to say no to new money for CUNY. There is also the political situation whereby the governor and mayor are fighting. Funding increase from the City to the senior colleges would give \$30 million for keeping up with inflation and CUNY asked for new money for workload reduction. The mayor has been generous to CUNY especially for ASAP which John Jay now has. She added that the BoT says teaching reduction is not for there to be less work but rather for more time for increased scholarship and more student advisement.

President Benton asked whether she thinks there is a possibility in the search for president that there will be a designated favorite candidate from the governor's office. We have new trustee appointees from the governor who are asking more questions which she considers a good thing. But the question is whether the questions are actually being raised by the governor himself. There has been new hiring: Gayle Horowitz as advisor to the chancellor and advisor to the chair of the BoT and secretary of the BoT. She noted that the expertise required of a college president is different. Senator Maki Haberfeld asked whether the supplemental salary moratorium also applies to faculty; Professor Conway said the Chancellor's memo says it only applies to university deans and college presidents.

Senator Kucharski asked about the lack of equity in the funding of colleges within CUNY. Professor Conway said that the comparative budget data do show such inequities. She asked whether John Jay is losing candidates during searches and said that yesterday the Chancellor spoke to her about the diversity of the faculty as did one of the trustees; the Chancellor told her that other trustees have raised this with him as well. The chancellor asked her, as the head of the UFS, to take the lead in addressing the need for more diversity among the faculty and she has asked for a breakdown by diversity of the last 1,000 faculty hires to see if we are making



progress. President Benton said what is important to see is what happened to those 1,000 hires seven years later. Professor Conway agreed, saying we do not have a breakdown as to how the faculty of color did with regard to tenure or how women did when compared to white men. She is asking the VC for Faculty and Staff for those data, adding that we certainly found in the COACHE Survey results that women and faculty of color are far unhappier than white men at CUNY are. The Chancellor is creating a task force on faculty diversity. Senator Jonathan Gray said that as a person of color and as a graduate of a historically black college (Howard), he would love to attend that taskforce. Professor Conway said she is going to as the faculty governance leaders to recommend faculty whom she can recommend to the chancellor.

**9. Consideration and vote on candidates for honorary degrees: Invited Guest: Professor Nathan Lents, Chair, Committee on Honorary Degrees**

By a motion made and adopted, the Senate went into executive session. Professor Lents presented candidates recommended for honorary degrees by the Committee on Honorary Degrees. By secret ballot, the Senate approved the following individuals to be recommended to President Travis and then to be recommended to the Chancellor and approved by the CUNY Board of Trustees:

Loretta Lynch  
Thuli Madonsela  
Rashida Manjoo  
Jose Antonio Vargas

**10. New business**

The Executive Committee proposed that the Senate adopt a resolution regarding John Jay as a sanctuary college. A resolution adopted by the Senate of BMCC was circulated as a possible model. President Benton cautioned that we do not want to promise anything that we cannot, in fact, do, that we do not want to be giving false hope or false information. Because the Chancellor has announced that he is about to make a statement on CUNY and sanctuary colleges and universities, the Senate decided to wait until after the Chancellor's statement.

By a motion made and adopted, the meeting was adjourned at 2:50 pm.

Submitted by  
Karen Kaplowitz