

**Faculty Senate Minutes #565  
John Jay College of Criminal Justice**

**Thursday April 4, 2024**

**1:40 PM**

**Zoom**

**Present (29):** Chevy Alford, Maria Arndt, Madhura Bandyopadhyay, Elton Beckett, Ned Benton, Mucahit Bilici, Heath Brown, Jean Carmalt, Peter Diaczuk, Jonathan Epstein, Heath Grant, Maki Haberfeld, Veronica Hendrick, Mohammad Islam, Karen Kaplowitz, Catherine Kemp, Vicente Lecuna, Joseph Maldonado, Mickey Melendez, Brian Montes, Elsa-Sofia Morote, Raymond Patton, Susan Pickman, Stephen Russell, Francis Sheehan, Todd Stambaugh, Charles Stone, Robert Till, Sung-Suk (Violet) Yu

**Absent (8):** Kate Cauley, Jennifer Dysart, Nina Rose Fischer, Edward Kennedy, Anru Lee, Gregory Sheppard, Marie Springer, Zhun Xu

**AGENDA**

- 1. Adoption of the agenda**
- 2. Adoption of Minutes #564 of the March 18, 2024, meeting**
- 3. Announcements from the Chair**
- 4. Elections:**
  - a. Faculty Senate reps as members of the 2024-25 College Council**
  - b. Faculty Senate reps as alternates on 2024-25 College Council**
  - c. University Faculty Senate delegates**
- 5. Ratification of the proposed slate of candidates for 2024-25 Faculty Personnel Committee (FPC)**
- 6. Changes proposed by the Chancellery to the CUNY Bylaws and Manual of General Policy**
- 7. A new proposed amendment to the Faculty Personnel Committee (FPC) Guidelines regarding Lecturer movement to an Assistant Professor line**
- 8. Discussion for feedback to the authors of *AI [Artificial Intelligence] Responsible Use Guidelines*, proposed by a John Jay ad hoc committee of faculty, students, and administrators convened and chaired by Provost Pease**
- 9. New Business**

**1. Adoption of agenda**

The agenda was approved.

**2. Approval of Minutes #564 of the March 28, 2024, meeting. Approved.**

### **3. Announcements**

President Kaplowitz briefed the Senate on a letter from Professor Geert Dhondt, chair of Economics, sent to the Council of Chairs and the President of the Faculty Senate, calling for an explanation from the college President as to why she did not approve the reappointment of Danny Shaw as an adjunct in the Department of Latin American and Latinx Studies. President Kaplowitz does not know the reasons for the non-reappointment, but presumes it has to do with Danny Shaw's hate speech comments on social media. She noted that there is no legal obligation to reappoint an adjunct faculty member. Senator Heath Grant clarified that the decision also likely concerns Title VI of the 1964 Civil Rights Act, enforced by the Office of Civil Rights in the Dept of Education. That act and various accompanying memos and interpretations provide guidance on when one community member's speech creates a hostile environment that a student would experience as discrimination.

Senators Todd Stambaugh and Catherine Kemp asked about the president's authority to overturn a departmental decision about reappointment. Senator Sofia Morote explained that the president does not need anyone's approval to decide to not reappointment or not hire someone. Senator Jonathan Epstein noted that in Danny Shaw's social media comments, he identifies himself as a John Jay Professor. Senator Maki Haberfeld pointed out that even the chair of a department can decide not to reappoint an adjunct, without any explanation beyond what is best for our students.

Senator Jean Carmalt raised the question of the authority of department chairs to staff courses. She also noted that Shaw seems to have deleted the tweets. She also points to the need to distinguish between antisemitism and antizionism. Senator Violet called Danny Shaw's comments extreme. Senator Brian Montes, a member of the LLS Department, while noting that Title VI is relevant here, spoke to the many contributions of Danny Shaw to the department and to students over the years. But, he added, while his department supports free speech, they do not support any form of hate speech. Senator Stambaugh emphasized that departments and department chairs are the one best positioned to understand staffing needs. President Kaplowitz clarified that all staffing decisions, including decisions of the FPC, are only advisory to the president of the college; she explained that a unanimous department P&B committee vote to promote or reappoint or tenure a person, or to not promote or reappoint or tenure, followed by a unanimous decision by the college personnel committee supporting the department's vote, can be overturned by the president; this is because the president must make an independent recommendation to the CUNY Board of Trustees about all personnel actions, which the BoT then has to vote on.

### **4. Elections**

The following were elected unanimously:

- a. Faculty Senate representatives as members of the 2024-25 College Council

Jonathan Epstein – History  
Heath Grant – Law, Police Science, and CJA  
Maki Haberfeld – Law, Police Science, and CJA  
Karen Kaplowitz – English  
Anru Lee – Anthropology  
Adam McKible – English  
Alison Perry – English  
Francis Sheehan – Sciences

b. Faculty Senate representatives as alternates on the 2024-25 College Council

Ned Benton – Public Management  
Diana (DeeDee) Falkenbach – Psychology

c. University Faculty Senate delegates

Artem Domashevskiy – Sciences  
Paul Narkunas – English

d. University Faculty Senate alternate delegate

Ellen Belcher – Library

**5. Ratification of the proposed slate of candidates for the 2024-25 Faculty Personnel Committee (FPC)**

The following slate of candidates was ratified unanimously:

Rosemary Barberet – Sociology  
Artem Domashevskiy – Sciences  
Heath Grant – Law, Police Science, and CJA  
Ali Kocak – Sciences  
Simone Martin-Howard – Public Management  
Adam McKible – English  
Nick Petraco – Sciences  
John Staines – English  
Crystal Endsley Taylor – Africana Studies

**6. Changes proposed by the Chancellery to the CUNY Bylaws and Manual of General Policy:**

President Kaplowitz updated the Senate on the efforts an ad hoc committee of faculty governance leaders and University Faculty Senate leaders to contest changes to the CUNY Bylaws and to the Manual of General Policy proposed by University Provost Hensel. In response to these efforts, the Chancellor of the University has pushed back a vote on proposed changes from June until the Fall. Among the major issues the ad hoc committee are contesting are (1) language which could be a prelude to post-tenure review, which happened at Provost Hensel's last institution and which would be a violation of our union contract; (2) language which gives administrators the authority to set the class schedule, instead of department chairs.

**7. A new proposed amendment to the Faculty Personnel Committee (FPC) Guidelines regarding Lecturer movement to an Assistant Professor line**

In the Fall, a Senate proposal about a pathway for a lecturer to be moved to an assistant professor line was voted down by the FPC. The FPC subsequently removed sections of the FPP Guidelines related to lecturers that were deemed by the college's legal counsel to be out of compliance with CUNY bylaws, state law, and the contract. The Senate leadership believes these changes leave one scenario unconsidered: if a lecturer in a department applies to a national tenure track search being undertaken in their department, the department may be biased against hiring that lecturer as an assistant professor if they are afraid of losing the lecturer's line. The Senate is proposing language that guarantees that the department wouldn't lose the lecturer's line if they were hired in the tenure track search, thus removing any structural bias against the lecturer.

The proposal passed by a vote of 22-0-7. Senators Bandyopadhyay, Carmalt, Epstein, Haberfeld, Hendrick, Kemp, and Stambaugh abstained. The Executive Committee will review this proposal with the Provost; if there is support, it will be forwarded to the FPC for its consideration.

**8. Discussion for feedback to the authors of AI [Artificial Intelligence] Responsible Use Guidelines, proposed by a John Jay ad hoc committee of faculty, students, and administrators convened and chaired by Provost Pease**

Senator Grant presented the committee's draft guidelines. The document is not intended to be policy. He pointed to the need for faculty to help students grow in higher-order thinking tasks, which AI is not yet capable of undertaking.

Senator Heath Brown found the guidelines very thoughtful, and very helpful for students and faculty. But he thinks the document should also contain guidelines for administrators. He is confident that students and faculty will be able to navigate the changing AI landscape. He is very concerned about how administrators at the college are using AI—in communications, in student success, in evaluation of faculty productivity. President Kaplowitz raised concerns about student information being inadvertently given to AI companies in violation of FERPA.

Senator Chevy Alford suggested we pay attention to the needs of neurodivergent students as we design course requirements.

VP Stephen Russell pointed out that the document makes claims about the purpose of the college, which it defines as preparing students for professional success. This seems to be an overreach for a document about AI, but if it is important to include such language, then he would advocate also including language about preparing students for engaged citizenship. He noted that the document also uses the term "thought" to describe what AI language models are doing. The word "thought" has a special meaning in philosophical tradition, which AIs do not do. And AIs themselves deny that they think or produce thought. They are glorified

autocompletes, which turn out to be reasonably good at performing some language related tasks but are quite unreliable. He suggests removing language in the document that suggests that AIs think or produce thought. He promised to read the document more closely and provide additional feedback to the ad hoc committee.

**9. New Business.** There was no new business.

The meeting was adjourned at 3:00 PM

Provided by S. Russell and K. Kaplowitz