MINUTES OF THE MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK
HELD
JANUARY 26, 1976
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET - BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 5:05 P.M.

There were present:

Alfred A. Giardino, Chairman

Sandra Lopez Blvd
Armand O'Angelo

Gurston D. Goldin
Rita E. Hauser
James P. Murphy

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
President Milton G. Bassin
President William M. Birenbaum
President James A. Colston
President Candido A. de Leon
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
Acting President Gerald W. Lynch
President Robert E. Marshak
President Joseph S. Murphy
President Harold M. Proshansky

President Kurt R. Schmeller
President Joseph Shenker
President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor David Valinsky
Deputy Chancellor Seymour C. Hyman
Vice Chancellor Mary P. Bass
Vice Chancellor Timothy S. Healy
Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng
Vice Chancellor Peter S. Spiridon

The absence of Mr. FitzPatrick, Mr. Jacobs and Mrs. Quinones and Mr. Williams was excused.
A. NEW BOARD MEMBERS: The Chairman introduced the new tenth member of the Board, Mrs. Sandra Lopez Bird, appointed by the Mayor to fill the vacancy caused by the death of Mrs. Marta Valle, and Mr. Maynard S. Jones, the newly elected chairperson of the University Student Senate, who replaces Mr. Jay Hershenson as the student ex officio non-voting member of the Board. Both were welcomed to the Board.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 10)

NO. 1. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for January 26, 1976 (including Addendum Items) be approved, as amended as follows:

(a) Items listed in PART E - ERRATA, to be withdrawn or changed, as indicated.

EXPLANATION: The Chancellor's Report consists of those resolutions and actions of a non-policy nature which require approval by the Board of Higher Education.

NO. 2. APPROVAL OF MINUTES: RESOLVED, That the minutes of the Board of Higher Education for the following meetings be approved as circulated:

January 27, 1975
February 24, 1975
March 24, 1975

NO. 3. COMMITTEE ON ACADEMIC AFFAIRS: RESOLVED, That the following items be adopted:

A. HUNTER COLLEGE - B.S. IN PHYSICAL EDUCATION:

RESOLVED, That Hunter College be authorized to award the B.S. degree in Physical Education in place of the existing B.A. degree in Physical Education, effective September 1976, subject to financial ability.

EXPLANATION: This program has been revised to include introductory courses in anatomy and kinesiology, motor learning and performance, exercise physiology, and other subjects which have recently been introduced into the study of physical education. The B.S. degree is needed for the program because it permits 50% of the course work to be in the area of liberal arts (compared to 75% for the B.A. degree). Students already enrolled in the B.A. program will be allowed to complete their work for the B.A. degree. The offering of a B.S. degree in Physical Education will not involve any additional funding. Savings may be realized because the number of courses offered to students seeking this degree will be ten (10) fewer than have been offered for the B.A. degree which this new program will replace. The average cost per FTE student is estimated at $1,491 in the first year of the program. In the 5th year of the program, the costs are estimated at $1,806/FTE student. These costs can and will be met out of Hunter's regular operating budget.

B. JOHN JAY COLLEGE OF CRIMINAL JUSTICE - B.A. IN FIRE SERVICE ADMINISTRATION:

RESOLVED, That the program leading to the B.A. in Fire Service Administration, to be offered at John Jay College of Criminal Justice, be approved effective January 1976, subject to financial ability.
EXPLANATION: This program will serve the needs of personnel already employed in Fire Service agencies who wish to advance their careers and high school graduates who plan to enter this field. Developed in cooperation with the New York Fire Department, the program will help to meet the local need for manpower whose expertise lies in fire service administration rather than in firefighting. The curriculum stresses academic achievement and is designed to encourage further study leading to a Master's degree in Fire Science, Public Administration, or Forensic Science. The new program does not require new facilities, instructional materials or faculty and can be operated within the regular budget of the college.

NO. 4. COMMITTEE ON FISCAL AFFAIRS AND PLANNING: RESOLVED, That the following items be adopted:

A. INVASION OF PRINCIPAL OF THE UNIVERSITY FUND:

RESOLVED, That the resolution creating a special account known as the "University Fund," (BHE Cal. No. 4A, April 29, 1970) be amended as follows, effective with the 1975-76 fiscal year:

RESOLVED, That income from this fund and, if necessary, an invasion of the principal not to exceed 10% in any given year, are to be used to meet special needs of the University not provided for by tax levy or other funds for one-time use projects and for those representational activities necessary to the functions of the University. Application for utilization of such funds shall be subject to approval by the Chancellor and by the [Executive Committee of the Board.] Board.

EXPLANATION: The need of the University to commission numerous management-related studies and evaluations has placed a significant burden on the funds, available for such purposes, usually derived from the income of the University Fund. In order to meet these needs, as well as other obligations normally met through the University Fund, the Board finds it necessary to increase the permissible invasion of principal from 5% to 10%.

In addition, the changed structural composition of the Board makes existing procedures for approving applications for utilization of these funds obsolete.

B. CENTRAL OFFICE STUDY:

RESOLVED, That the Chancellor be authorized to use up to $45,000 of funds available in the City University Fund for a study of the organization of the CUNY Central Office, and to enter into a contract with the firm of Peat, Marwick, Mitchell & Company for such study.

EXPLANATION: The Board authorized a management consultant overview of the University's Central Office. After discussions with several management consulting firms, Peat, Marwick, Mitchell & Company have been selected to conduct this study.

NO. 5. COMMITTEE ON ADMINISTRATIVE AFFAIRS: RESOLVED, That the following item be adopted:

A. BYLAW AMENDMENTS TO CONFORM TO BOARD'S STATEMENT ON ACADEMIC PERSONNEL PRACTICE:

Notice was served and noted of the introduction of proposed amendments to Sections VI, IX and XI of the bylaws of the Board to conform the bylaws to the Board's Statement on Academic Personnel Practice.
EXPLANATION: These amendments conform the bylaws to the "Statement of the Board of Higher Education on Academic Personnel Practice in the City University of New York" adopted by the Board at its meeting on September 22, 1975, Cal. No. 5. The policy statement was to be effective January 1, 1976.

**NO. 6. DESIGNATION AS ACTING PRESIDENT OF BRONX COMMUNITY COLLEGE:**
RESOLVED, That Dean Morton Rosenstock be designated Acting President of Bronx Community College, effective February 1, 1976, until such time as a president is designated, with compensation at the rate of $9,000 per annum in addition to his regular academic salary, subject to financial ability.

The Chairman introduced Dr. Rosenstock.

**NO. 7. PRESIDENT EMERITUS, BRONX COMMUNITY COLLEGE:** WHEREAS, Dr. James A. Colston has informed the Board of his intention to retire as President of Bronx Community College, and

WHEREAS, he assumed the leadership of the College ten years ago after almost 25 years of distinguished presidential service at Bethune-Cookman College, Georgia State College and Knoxville College, and

WHEREAS, under his leadership the College grew from a poorly housed institution of 7,000 students to an institution housed in one of the largest campuses of the City University serving more than 13,000 students and citizens of the City of New York, and

WHEREAS, under his leadership Bronx Community College has faced with great vitality, dedication and innovation the challenge of Open Admissions, and

WHEREAS, he has recognized and actively pursued the relationship between the College and the Bronx community and encouraged community directed programs and services, and

WHEREAS, under his leadership the College has served the needs of the community and its students by developing an array of health related programs including one of the largest nursing programs in the country, and

WHEREAS, for the past ten years Dr. Colston has served the City of New York and the City University of New York with loyalty, devotion and dedication, therefore be it

RESOLVED, That the Board tender to President Colston this statement of recognition of service performed with dedication and distinction and that he be designated President Emeritus effective February 1, 1976.

**NO. 8. PRESIDENT EMERITUS, JOHN JAY COLLEGE OF CRIMINAL JUSTICE:** WHEREAS, Dr. Donald H. Riddle has informed the Board of his intention to assume the Chancellorship of the University of Illinois at Chicago Circle, and

WHEREAS, he has served with distinction as President of John Jay College of Criminal Justice for the past eight years, and
WHEREAS, under his leadership the College has grown four-fold in size and from a branch of Baruch College specializing in police science to a comprehensive institution offering programs in liberal arts, police science, criminal justice, forensic science, fire science and humanities, and

WHEREAS, under his leadership the College has developed outstanding graduate programs in public administration, criminal justice and social relations as well as psychology and forensic science, and

WHEREAS, he has provided aggressive leadership in the upgrading of the education and expertise of the City's uniformed services, and

WHEREAS, under his direction the College had taken a role in the forefront of bringing new groups, especially women and minorities, into the ranks of the City uniformed services, and

WHEREAS, he has directed the College in the development of unique programs blending the arts with the technical sciences of police, corrections and probation, therefore be it

RESOLVED, That the Board tender to President Riddle this statement of thanks and appreciation for outstanding leadership and inspiration and that he be designated President Emeritus effective February 1, 1976.

NO. 9. CLOSING OF FACILITIES: A motion was made and seconded that this resolution be adopted:

The Chairman announced that the Board planned to defer action until its February meeting but wanted to give early notice so that staff could make personal plans accordingly.

At this point the Board heard the following who spoke in opposition to the resolution:

Dr. Belle Zeller, President, Professional Staff Congress
Mr. Anthony Griesi, Council Representative, District Council 37

Upon motions duly made, seconded and carried, the resolution was tabled for action at the next Board meeting without further debate.

Mr. D'Angelo asked to be recorded as voting No.

NO. 10. UNIVERSITY REPORT: The Chancellor presented his oral report on matters of Board and University interest:

1. Budget:

   (a) State: The Governor announced a reduction of $65 million in State aid to the University for the next fiscal year.

   (b) Federal: The President's proposed budget for the coming year contains $1.5 billion less for higher education than was included for this year. Most of the reduction is in the area of student aid. Special Education Opportunity Grants were eliminated and there was a decrease in aid to veterans. However, Congressional action may change this to some extent.
2. Grants and Awards:

(a) Baruch College received a grant of $150,000 from the Ford Foundation to support the activities of the Center on Collective Bargaining in computerization of data on collective bargaining.

(b) The Graduate School and University Center received a grant to extend over a three-year period of $480,000 from the Mellon Foundation to support a post-doctoral humanities fellows program.

(c) Antal Jevicki, a Ph.D. graduate of the University, has been appointed to membership in the Institute for Advanced Studies at Princeton University.

Upon motions duly made, seconded and carried, the meeting was adjourned at 5:30 P.M.

ETTA G. GRASS
Acting Secretary of the Board
MINUTES OF THE MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

FEBRUARY 23, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET - BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 5:00 P.M.

There were present:

Alfred A. Giardino, Chairman
Franklin H. Williams, Vice Chairman

Sandra Lopez Bird
Vincent R. FitzPatrick
Gurston D. Goldin

Maynard S. Jones, ex officio

Rita E. Hauser
Harold M. Jacobs
Vinia R. Quinones

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
President Milton G. Bassin
President William M. Birenbaum
President Candido A. de Leon
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
President Robert E. Marshak
President Joseph S. Murphy
President Harold M. Proshansky
Acting President Morton Rosenstock
President Kurt R. Schmeller

President Joseph Shenker
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor David Valinsky
Deputy Chancellor Seymour C. Hyman
Vice Chancellor Mary P. Bass
Vice Chancellor Timothy S. Healy
Vice Chancellor Anthony Kner
Vice Chancellor J. Joseph Meng
Vice Chancellor Peter S. Spiridon

The absence of Mr. D'Angelo was excused.

A. RESTRUCTURING PROPOSALS: The Chairman announced that the Chancellor's Restructuring Proposals were not on the agenda but would be the subject of discussion by the Board, by the University, and by the public at a future date. The Board will discuss a procedure that will allow for an orderly discussion of the various component parts and will make an appropriate announcement at a future date.
B. BUDGET: The Chairman reported that in view of the City’s fiscal situation there may be even further reductions affecting City University and stated that the Board would continue its efforts to secure additional funds.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 10)

NO. 1. CHANCELLOR’S REPORT: RESOLVED, That the Chancellor’s Report for February 23, 1976 (Including Addendum Items) be approved, as amended as follows:

(a) Items listed in PART E - ERRATA, to be withdrawn or changed as indicated.

EXPLANATION: The Chancellor’s Report consists of those resolutions and actions of a non-policy nature which require approval by the Board of Higher Education.

NO. 2. COMMITTEE ON ADMINISTRATIVE AFFAIRS: RESOLVED, That the following item be adopted:

A. BYLAW AMENDMENTS TO CONFORM TO BOARD’S STATEMENT ON ACADEMIC PERSONNEL PRACTICE: RESOLVED, That the Board adopt the following amendments to Sections VI, IX and XI of the bylaws of the Board to conform the bylaws to the Board’s Statement on Academic Personnel Practice:

Section 1. Subdivision c of section 6.2 is hereby amended to read as follows:

    c. A person appointed to the title of professor, associate professor or assistant professor may be granted early tenure by the board in its discretion, under these bylaws, after not less than one nor more than five years of continuous satisfactory service on an annual salary basis, when such service is interrupted by the period of a fellowship deemed by the college valuable to it, when for a very substantial reason the college would be well served by such early grant of tenure, or when the person has had tenure in another accredited institution of higher learning.

Section 2. Subdivisions b,c,d,e and f of Bylaw section 6.2 are renumbered subdivisions c,d,e,f and g respectively and a new subdivision is hereby added to read as follows:

    b. Persons promoted to the rank of professor shall be granted tenure after not more than four years of continuous full-time service on an annual salary in positions on the instructional staff.

Section 3. The introductory sentence of section 6.2 is hereby amended to read as follows:

The permanent instructional staff shall consist of those persons who have been granted tenure under any of the provisions enumerated in subdivisions a,b,c,d,e, [and] f, and g below and in section 6.3 subdivisions a,b, and d.
Section 4. Subdivisions b and d of Bylaw section 6.6 are hereby amended to read as follows:

b. Except for the appointment of persons to the university institute of oceanography or of persons whose sole educational duties shall be administrative, all original appointments to the instructional staff shall be made to a department. All [such original] appointments shall be for one year or less except that the board may, [in exceptional cases], in appropriate instances, make appointments for a period not exceeding [three] two years.

d. Each appointment shall terminate at the terminal date specified in the appointment. There shall be a university standard letter of appointment. The notice [of appointment] shall state specifically that the appointment is of a temporary nature; that it is subject to financial ability; shall give the terminal date of the appointment and shall add that services beyond the period indicated in the notice of appointment are possible only if the board takes affirmative action to that effect.

Section 5. Section 9.1 of the Bylaws is hereby amended to read as follows:

Section 9.1 DEPARTMENT ORGANIZATION. a. Each department, subject to the approval of the faculty or faculty council, where existent, and subject to the provisions of other sections of these bylaws, shall have control of the educational policies of the department through the vote of all of its members who have faculty rank or faculty status; and if the department so desires, it may enfranchise persons in visiting professorial titles and other members who have been appointed on an annual salary basis for a first or second year of full-time service to vote on departmental matters except for the election of department [chairmen] chairpersons, departmental committee on personnel and budget or departmental committee on appointments. Each department shall cooperate with related departments and with college agencies in general in the development of college-wide interests.

b. The executive officer of the department shall be the department [chairman] chairperson who shall be a professor, associate professor or assistant professor [or tenured instructor] elected by secret ballot for a term of three years, except as provided below, by a majority vote of all the members of the instructional staff of the department who have faculty rank. Proxy or mail voting shall not be permitted. The department chairperson must be tenured or have been approved by the board for tenure at the time of his/her election, except in departments less than seven years old. Such elections shall be subject to the subsequent approval of the president and the board. The present system of staggered departmental elections shall be continued. The successors of department [chairmen] chairpersons shall be elected during the first full week in May at the expiration of the respective terms of office to take office as of July first of the year in which they are elected and at three year intervals thereafter. Vacancies shall be filled by election for the unexpired term. Notwithstanding anything in the foregoing to the contrary, in the library department, the president of the college shall from time to time recommend a member of the department to the board for designation as [chairman] chairperson. Department chairpersons who are not tenured professors, associate professors or assistant professors on January 1, 1976 may fill out their unexpired terms as chairpersons, subject to the provisions of sections 9.1 (c) and 9.6 (a) of these bylaws.

c. In any case where the president does not approve the election of a department [chairman] chairperson, or at such other time as the interests of the college may require the removal of a [chairman] chairperson and the appointment of a new one, he/she shall confer with the department and thereafter shall report to the board any subsequent action by the department with respect thereto, together with his/her own recommendation for a [chairman] chairperson. The recommendation by the president to the board for the designation of the department [chairman] chairperson should take place only after careful consideration by the president of the qualifications of those selected by the respective departments. The president shall base his/her recommendation on the capacity of the individual selected to act effectively as the departmental administrator and spokesman and as a participant in the formation, development and interpretation of college-wide interest and policy.
d. Where there are less than three tenured professors, associate professors and assistant professors in a department, the president may, except where the department has been in existence for less than seven years, after consultation with the departmental faculty, recommend the appointment of a chairperson to the board from among the members of the department holding professorial rank. Where the department chairperson is recommended by the president pursuant to this subdivision, subdivision c of this section, or subdivision a of section 9.6 the chairperson need not be tenured.

e. [d] The faculty, unless there be a faculty council, in which case the faculty council (except in the city college, in which case it shall be the faculty senate), shall have the option of determining whether the college shall operate under Plan No. One or Plan No. Two, as outlined below and in Section 9.8.

PLAN NO. ONE - There shall be in each department a committee on appointments consisting of the department chairperson and, where possible, of four other members who must have faculty rank. The number of members of faculty rank shall not affect provision for student membership if a college governance plan so provides. [A majority] Four of the faculty members of the committee must be tenured, except if the department has fewer than four tenured faculty members. The department chairperson shall be the chairperson of the committee. The four faculty members shall be elected by a majority vote of those persons in the department having faculty rank. Election shall be held at the same time that the department chairperson is elected. A vacancy in the office of the chairperson prior to the expiration of his/her term when such vacancy necessitates an election for a new chairperson shall not affect the term of the committee.

PLAN NO. TWO - There shall be in each department a departmental committee on personnel and budget, consisting of the department chairperson and where possible, of four other members who must have faculty rank. The number of members of faculty rank shall not affect provision for student membership, if college governance plans so provide. [A majority] Four of the faculty members of the committee must be tenured, except if the department has fewer than four tenured faculty members. The department chairperson shall be the chairperson of the committee. The four faculty members shall be elected by a majority vote of those persons in the department having faculty rank. Election shall be held at the same time that the department chairperson is elected. A vacancy in the office of the chairperson prior to the expiration of his/her term when such vacancy necessitates an election for a new chairperson shall not affect the term of the committee.

In departments with fewer than four tenured faculty members, the president after consultation with the departmental faculty, shall appoint an ad hoc committee to make recommendations on appointments with tenure in lieu of a committee on appointments or a departmental committee on personnel and budget.

f. [e] There shall be a committee on personnel and budget for the hunter college elementary school and a committee on personnel and budget for the hunter college high school. The committee in each school shall consist of the principal, as chairperson, the chairperson of the department of education of hunter college, and three members of the instructional staff of the school, elected for a term of three years by members of the permanent instructional staff of the school. These committees shall have in each school, insofar as practicable, the same functions as are assigned by these bylaws to a departmental committee on personnel and budget in a college.

g. [f] Each department may name such other committees as it chooses and shall have the fullest measure of autonomy consistent with the maintenance of general educational policy.

Section 6. In the implementation of the amendment to d, as relettered to be subdivision e of bylaw section 9.1, in departments where under Plan No. One or Plan No. Two, the respective committee has more than one non-tenured member, the present non-tenured members shall continue to serve until July 1, 1976. Elections shall be held during the first full week of May in 1976 to fill the positions of the non-tenured members of the committee for the unexpired terms of those members, in accordance with the new bylaw requirements for composition of those committees.
Section 7. Subdivision (a) of section 9.3 of the Bylaws, is hereby amended to read as follows:

Section 9.3 DUTIES OF DEPARTMENT CHAIRPERSON. a. The department chairperson shall be the executive officer of his/her department and shall carry out the department’s policies, as well as those of the faculty and the board which are related to it. He/she shall:

1. Be responsible for departmental records.

2. Assign courses to and arrange programs of instructional staff members of the department.

3. Initiate policy and action concerning the recruitment of faculty and other departmental affairs subject to the powers delegated by these bylaws to the staff of the department in regard to educational policy, and to the appropriate departmental committees in the matter of promotions and appointments.

4. Represent the department before the faculty council or faculty senate, the faculty and the board.

5. Preside at meetings of the department.

6. Be responsible for the work of the department’s committee on appointments or the department’s committee on personnel and budget which he/she chairs.

7. [6.] Prepare the tentative departmental budget, subject to the approval by the department’s committee on appointments or the department’s committee on personnel and budget.

8. [7.] Transmit the tentative departmental budget to the president with his/her own recommendations.

9. [8.] Arrange for careful observation and guidance of the department’s instructional staff members.

10. [9.] Make a full report to the president and to the college committee on faculty personnel and budget of the action taken by the department committee on personnel and budget or department committee on appointments when recommending an appointee for tenure on the following:

   a. Teaching qualifications and classroom work.

   b. Relationship of the appointee with his/her students and colleagues.

   c. Appointee’s professional and creative work.

11. [10.] Hold an annual evaluation conference with every member of the department after observation and prepare a memorandum thereof.

12. [11.] Generally supervise and administer the department.

Section 8. Subdivisions 9.6, 9.7, 9.8, 9.9, 9.10 and 9.11 are renumbered 9.7, 9.8, 9.9, 9.10, 9.11 and 9.12 respectively, and a new section 9.6 is hereby added to the bylaws to read as follows:
Recruitment:

The recruitment process is a continual one. The recruitment effort for any full-time faculty appointment should normally be of at least one year's duration. The primary responsibility for recruitment shall rest with the department chairperson. Department personnel committees shall be accountable to the chairperson for their recruitment efforts, and they shall maintain written records of the recruitment process sufficient to permit review of the process by appropriate university officers.

Section 9. Section 9.7 of the Bylaws, renumbered section 9.8 is hereby amended to read as follows:

Section 9.8 PROMOTIONS. a. PLAN NO. ONE. Promotions of tenured instructors to the rank of assistant professor shall be recommended to the college committee on faculty personnel and budget by the chairperson of the department only after an affirmative vote of a majority of all members of the department who have professorial rank. Promotions to the rank of associate professors shall be recommended only after an affirmative vote of a majority of all associate professors and professors in the department. In departments where every professorial rank is not represented, recommendations for promotion shall be initiated by the committee on appointments of the department. This plan shall not apply in the case of promotion to a professorship.

PLAN NO. TWO. All promotions in the instructional staff, except promotions to professor, shall be recommended to the college committee on faculty personnel and budget by the chairperson of the department only after a majority affirmative vote of the departmental committee on personnel and budget; provided, however, that no member of such committee shall vote on his/her own promotion.

A minority of any departmental committee on personnel and budget or any committee under Plan No. One of this section shall have the power to submit a minority recommendation to the college committee on faculty personnel and budget.

Promotion to the rank of professor shall be recommended by the faculty committee on personnel and budget only after an affirmative vote of a majority of all associate professors and professors on the committee. The president, however, shall have the power to make an independent recommendation for promotion in any rank to the Board, after consultation with the appropriate departmental committee and with the faculty committee on personnel and budget. In all instances no final action of departmental committees with regard to promotions shall be taken without consultation with the president.

b. Appointment and promotion of registrar or science assistant personnel shall conform with the spirit of these bylaws including the role of the president in initiating recommendations for appointments and promotions.

Section 10. Subdivision d of section 11.1 of the Bylaws is hereby amended to read as follows:


d. The board shall, in passing on recommendations regarding reappointments, promotions and tenure, consider student evaluations of faculty classroom and teaching performance.

Section 11. Section 11.7 of the Bylaws is hereby amended to read as follows:

Section 11.7 INSTRUCTORS, ASSISTANT PROFESSORS, ASSOCIATE PROFESSORS AND PROFESSORS. A. Position Definition: It shall be the responsibility of instructors, assistant professors, associate professors and professors to perform teaching, research and guidance duties. They shall also, among other things, be responsible for
committee and departmental assignments. They shall perform those administrative, supervisory and other functions as may be assigned by the appropriate college or university authorities. Associate professors and professors, as the senior faculty shall have special responsibilities for maintaining the academic vitality of their departments. One of the principal means of exercising this responsibility is the continuation of peer evaluations of teaching members of the instructional staff, with special attention to their diligence in teaching and professional growth. Another chief responsibility of the senior faculty is to orient their junior and newly appointed colleagues. Senior faculty shall be available for such consultation and assistance in problems of both scholarship and teaching as the junior faculty may require.

B. Qualifications: 1. INSTRUCTOR. For appointment as an instructor, the candidate must have demonstrated satisfactory qualities of personality and character, ability to teach successfully, interest in productive scholarship or creative achievement and willingness to cooperate with others for the good of the institution. He/she must also have an appropriate master's degree from an accredited institution, or active progress toward a doctorate.

2. ASSISTANT PROFESSOR. For appointment as or promotion (for instructors appointed prior to October 1, 1968) to assistant professor, the candidate must have demonstrated satisfactory qualities of personality and character, evidence of significant success as a teacher, interest in productive scholarship or creative achievement and willingness to cooperate with others for the good of the institution. He/she must also have obtained the Ph.D. degree, or an equivalent degree, in an accredited university except that persons holding positions on December 31, 1975 as assistant professors or instructors in the community colleges [he/she] shall have a master's degree and four years of appropriate teaching, technological or industrial experience or the Ph.D. degree. In the libraries, for promotion to or appointment as assistant professor, the candidate must, in addition to the requirements of instructor, have completed a doctorate or an additional Master's degree and in exceptional cases some other logical combination of two years' graduate study or more beyond the bachelor's degree.

3. ASSOCIATE PROFESSOR. For promotion or appointment to the rank of associate professor, the candidate must possess the qualifications for an assistant professor, [except that he] must have obtained the Ph.D. or an equivalent degree from an accredited university, and in addition he/she must possess a record of significant achievement in his field or profession, or as a college or university administrator. There shall be evidence that his/her alertness and intellectual energy are respected outside his/her own immediate academic community. There shall be evidence of his/her continued growth and of continued effectiveness in teaching. Longevity and seniority alone shall not be sufficient for promotion.

In the libraries, for promotion to or appointment as associate professor, the candidate must, in addition to the requirements set forth for assistant professors in the libraries, possess a record of significant achievement in his profession. There shall be evidence that his/her competence and achievements are recognized and respected outside his/her own immediate community.

4. PROFESSOR. For promotion or appointment to the rank of professor, the candidate must possess the qualifications for an associate professor, and in addition a record of exceptional intellectual, educational, or artistic achievement and an established reputation for excellence in teaching and scholarship in his/her discipline. There shall be evidence of his/her continued growth and the judgment on promotion shall consider primarily evidence of achievement in teaching and scholarship following the most recent promotion. Longevity and seniority alone shall not be sufficient for promotion.

Section 12. Subdivision "I" of The "Definitions" of the Bylaws is hereby repealed.
["I. "He," "His," "Him" shall denote members of both the male and female sexes.]
["It was agreed that in future bylaw amendments the following will be used: "He/She," "His/Her," or "Him/Her." ]
Section 13. As amended bylaw pages are issued, the following shall be respectively substituted: “he/she” for “he”, “his/her” for “his”, and “him/her” for “him” and “chairperson” for “chairman”. The secretary of the Board is authorized and instructed to make these changes.

Matter underlined is new. Matter in brackets is to be deleted.

NO. 3. COMMITTEE ON FISCAL AFFAIRS AND PLANNING: RESOLVED, That the following items be adopted:

I. FISCAL RESOLUTION:

A. BARUCH COLLEGE - CLEANING AND MAINTENANCE SERVICE CONTRACT:

RESOLVED, That the Board of Higher Education approve contract documents and authorize the Bernard M. Baruch College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for furnishing, cleaning and maintenance service for its facility located at 155 East 24 Street, New York, New York for the period from July 1, 1976 through June 30, 1977, at an estimated cost of $185,000 with option to renew for an additional period of 3 years, chargeable to code 042-5200-400-01-77 and/or such other funds as may be available, subject to financial ability; and be it further

RESOLVED, That the Director of the Budget approve and authorize the above expenditure.

EXPLANATION: The continuance of proper cleaning and maintenance service is essential, for the health and safety of students and college personnel.

II. CAMPUS PLANNING AND DEVELOPMENT RESOLUTIONS:

A. BOARD OF HIGHER EDUCATION ADMINISTRATION BUILDING - REPLACEMENT OF FUEL OIL TANK:

RESOLVED, That the Board of Higher Education approve the final plans, specifications and final estimate of cost for Project No. CU-710-074, receive and open bids and award a contract to the lowest responsible bidder for furnishing all labor and materials necessary and required for Replacement of Fuel Oil Tank for Board of Higher Education Administration Building, 535 East 80 Street, New York, New York 10021, at an estimated cost of $25,000 chargeable to Capital Project HN-203; and be it further

RESOLVED, That the Budget Director be requested to approve said expenditure at a cost limitation of $25,000.

EXPLANATION: The prepared contract documents provide for the replacement of the defective 10,000 gallons fuel oil storage tank required for heating and domestic hot water requirements for the building. This work is necessary and urgent as the existing fuel oil storage tank is leaking oil which is draining into the stairwell leading to the basement area of the building causing a hazardous condition.

B. HOSTOS COMMUNITY COLLEGE - BUILDING ALTERATIONS:

RESOLVED, That the Board accept Preliminary Plans, Outline Specifications and Preliminary Construction Cost Estimate of $2,925,000 as of January 1976, for the alteration of 500 Grand Concourse for the use of Hostos Community College as prepared by Joseph G. Merz Architect; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforesaid Preliminary Plans, Outline Specifications and Preliminary Construction Cost Estimate set forth above.
EXPLANATION: On April 28, 1975 the Board approved the feasibility study for the alteration of 500 Grand Concourse, Bronx, New York for the use of Hostos Community College.

The Preliminary Plans, Outline Specifications and Cost Estimate have been reviewed by the College, the Office of Campus Planning and Development and the Dormitory Authority.

C. JOHN JAY COLLEGE - SUPPLEMENTAL AGREEMENT J (CITY UNIVERSITY ISSUE):

RESOLVED, That the Board hereby approves the form and substance of proposed Supplemental Agreement J (City University Issue) by and among the Dormitory Authority of the State of New York, the City University Construction Fund and the Board of Higher Education, which proposed agreement provides for the payment by the Fund to the Authority pursuant to Section 6.04 (a) (vi) of the Agreement of Lease (City University Issue) dated as of June 12, 1967 by and among the same parties, to which payment the Board hereby consents, to be used by the Authority for payment of those costs representing the amount awarded to 59 Street and 10 Avenue Realty Corporation in respect of the condemnation of its property acquired for Facility C19.01 (John Jay College); and be it further

RESOLVED, That the Chairman of the Board of Higher Education is hereby authorized to execute such Supplemental Agreement J and to cause the seal of the Board to be affixed thereto; and the Secretary of the Board of Higher Education is hereby authorized and directed to affix his signature thereto in attestation of such seal; and be it further

RESOLVED, That notwithstanding any other provision of this resolution, prior to the execution of such Supplemental Agreement, changes, insertions and omissions may be made thereto as may be approved by the Chairman of the Board of Higher Education, and the execution by said Chairman of such Supplemental Agreement J containing such changes, insertions and omissions, and the attestation thereof by the Secretary, shall be conclusive evidence of such approval.

EXPLANATION: On April 20, 1971 the Dormitory Authority made an advance payment of $6,620,000 in connection with the acquisition by condemnation of the building at 445 West 59 Street, New York, New York, acquired for use by John Jay College. A court judgment issued recently for an amount substantially in excess of the deposited amount is presently being appealed by the Dormitory Authority.

The Dormitory Authority is continuing to expend from a limited available balance amounts necessary to close down the suspended senior college construction projects. In order to continue these expenditures while at the same time insure that sufficient funds will be available to pay a final condemnation award, the Authority has requested that the Board consent to the City University Construction Fund paying to the Authority, from moneys that may be available to the Fund an amount to provide for such potential court judgment, less the previous advance payment.

This Agreement is subject to the additional approval of the City and State Budget Directors and the Emergency Financial Control Board.

NO. 4. CLOSING OF FACILITIES: The resolution was moved and seconded.

At this point the Board heard Professor David Valinsky, Chairman of the University Faculty Senate, who spoke in opposition to the resolution.

The following resolution was adopted:

RESOLVED, That all units and facilities of the University shall close from April 11, 1976 through April 18, 1976; and it is further

RESOLVED, That notwithstanding the above, the Chancellor or the Presidents may during the pendency of such closing direct the performance or maintenance of essential or emergency services; and it is further
RESOLVED, That with respect to employees other than full-time teaching members of the instructional staff, any days, which would otherwise be work days within such period shall be charged against annual leave; and it is further

RESOLVED, That the Chancellor is directed to implement these resolutions.

EXPLANATION: The closing of University facilities during the period from Sunday, April 11, 1976 through Sunday, April 18, 1976 will permit the University to save fuel and electricity costs and thus contribute to the required fiscal reductions, and conserve resources.

NO. 5. SEEK PROGRAM: WHEREAS, The Legislature of the State of New York has amended the law regarding geographical restrictions on eligibility for the SEEK Program and the Board of Regents has requested the establishment of definitions for “economically and educationally disadvantaged” students for purposes of admission to the SEEK and College Discovery Programs; and

WHEREAS, After consultation with interested groups both within and outside the University, criteria have been proposed to conform with the amended law and the Regents’ request, and timely notice should be provided for the implementation of such criteria; now therefore be it

RESOLVED, That a student shall be deemed eligible for admission to the SEEK and College Discovery Programs if he or she meets the following criteria:

1. Is economically disadvantaged;

2. Is educationally disadvantaged;

3. Is a graduate of an approved high school or has attained a New York State high school equivalency diploma or its equivalent, as determined by the Commissioner of Education of the State of New York;

4. Has not previously attended an institution of post-secondary education, except in the case of veterans who may have earned up to 18 credits of college-level work;

5. Has resided in New York City for at least one year;

6. Is a citizen of the United States or has permanent residence status; and be it further

RESOLVED, That the foregoing eligibility requirements, except those relating to economic disadvantage, residency and citizenship shall not apply to students who have been determined eligible for entry to the SEEK and College Discovery Programs by virtue of their satisfactory completion of the College Discovery Prong II and Adelante Programs; and be it further

RESOLVED, That for the purposes of determining eligibility, a student shall be deemed “economically disadvantaged” if he or she is a member of a household supported by one member thereof with a gross annual income which does not exceed the applicable amount set forth in the following table; or of a household supported by more than one worker thereof, or a household in which one worker is the sole support of a one parent family, if the gross annual income of such household does not exceed the applicable amount set forth in the following table by more than $1,000:
Minutes of Proceedings, February 23, 1976

Number of Members in Household (including Gross Annual head of household) Family Income

1 $ 4,160
2 5,528
3 7,046
4 8,465
5 9,756
6 10,948
7 12,032
8 13,008
9 13,875
10 14,634

Note: The above criteria is subject to annual review and revision based on changes in the cost-of-living index, said revisions being subject to the approval of the New York State Board of Regents.

and be it further

RESOLVED, That for purposes of determining eligibility a student shall be deemed "educationally disadvantaged" if he or she has received a general equivalency diploma or, in the case of current high school graduates if he or she has earned an average of less than 75 percent based on academic courses and at the completion of their eleventh year has accumulated no more than 10 academic units. Those prior graduates who have completed twelve years shall have an earned average of less than 75 and have accumulated no more than 12 academic units. The Chancellor is directed to undertake a review of the application of these criteria to make recommendations by December 1, 1976 for such changes in the criteria as he deems advisable.

EXPLANATION: The University Application Processing Center computes the cumulative academic average for graduating high school seniors on those courses completed in the eleventh year. For purposes of determining eligibility under the above criteria, therefore, computation of high school averages and academic units for all applicants should be based on work completed at that point. For all other students the computation is based on the completed high school record.

Mrs. Quinones asked to be recorded as voting No.

Budgetary support for City University is suffering a drastic reduction as a result of financial problems of New York City and State. Further reductions are projected for the next several years. Accordingly, the policies of the Board are being re-examined and various studies are being actively conducted to determine new and major directions which would preserve the mission of the University, effect economies, preserve and improve academic quality and yet enable the University to operate within new financial constraints.

Pursuant to earlier Board resolutions, the Chancellor has appointed various task forces to develop options and alternatives toward that purpose. In connection with the search now being conducted for more efficient and effective ways of carrying out the educational mission of the City University, The following actions were taken: (Calendar Nos. 6 through 8)

NO. 6. CONSOLIDATION OF PROGRAMS: The resolution was moved and seconded.
At this point the Board heard the following who spoke in opposition to the resolution:

Professor Irwin Polishook, Professional Staff Congress
Professor Maria Sanchez, Acting Chairperson, Brooklyn College Department of Puerto Rican Studies
Mr. Crecensio Morales, Brooklyn College Department of Puerto Rican Studies
Mr. Ernesto Loperena, Spokesperson, Puerto Rican Caucus of CUNY
Dr. J.M. Vazquez, Director, Puerto Rican Studies Program of Queens College
Dean James A. Malone, Coalition of Black Faculty of the City University of New York and Black Elected Officials
President Milton G. Bassin, York College

At this point Mr. Maynard Jones moved to table the resolution. The Chairman stated that in accordance with the advice of the General Counsel and Vice-Chancellor for Legal Affairs, an ex officio member who under the terms of the statute was specifically barred from voting on matters before the Board did not have the right to move or second a resolution since the power to move a resolution was integral to the power to vote. However, the motion to table could be made by any voting member of the Board.

Upon motion made by Mrs. Quinones, seconded by Mrs. Bird, and carried, the resolution was tabled.

Mr. FitzPatrick asked to be recorded as voting No.

NO. 7. PHYSICAL FACILITIES: The resolution was moved and seconded.

At this point the Board heard Professor Irwin Polishook of the Professional Staff Congress, who spoke in opposition to the resolution.

The following resolution was adopted:

WHEREAS, The University currently spends more than $16 million from its operating budget for rented facilities and the curtailment of construction of university-owned facilities has a direct bearing on this expenditure; now therefore be it

RESOLVED, That the Board hereby requests the Chancellor to develop a program for reduction of rental space as enrollments decline.

NO. 8. PROPOSAL FOR TRIMESTER CALENDAR: It was noted that a report, prepared by the Chancellor's Task force on the University Calendar, headed by Deputy Chancellor Seymour Hyman and including representatives of college presidents, faculty and students, was made available for general discussion purposes and that written comments and reactions were urged. The report indicated that a trimester calendar allows maximum potential for maintaining academic quality, for reducing instructional costs through the increased utilization of faculty and space and for enabling students to complete degree requirements at a more rapid pace.

NO. 9. UNIVERSITY REPORT: No report.

NO. 10. GENERAL DISCUSSION: (a) Mr. Murphy introduced Mr. Bob Kirkpatrick, chairperson of the Student Senate of SUNY, and welcomed him to the meeting.
(b) Dr. Goldin reported that Professor Mary Dolciani of the Office of Academic Affairs has left that Office to return to her teaching duties at Hunter College. He described her as a gracious lady and a dedicated scholar and on behalf of the Board, wished her well for the future.

Upon motions duly made, seconded and carried, the meeting was adjourned at 5:55 P.M.

ETTA G. GRASS
Acting Secretary of the Board
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

MARCH 1, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET - BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 4:05 P.M.

There were present:

Alfred A. Giardino, Chairman
Franklin H. Williams, Vice-Chairman

Sandra Lopez Bird
Armand D'Angelo
Vincent R. FitzPatrick

Gurston D. Goldin
Harold M. Jacobs
Vinia R. Quinones

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
Deputy Chancellor Seymour C. Hyman

The absence of Mrs. Hauser and Mr. Murphy was excused.

WAIVER OF NOTICE OF MEETING
OF THE
BOARD OF HIGHER EDUCATION

The undersigned members of the Board of Higher Education do hereby waive notice of a special meeting of the members of the Board of Higher Education to be held on March 1, 1976, at 4 P.M. at the Board Office at 535 East 80 Street, Borough of Manhattan, City of New York, to transact such business at such meeting as may lawfully come before said Board.

Dated: New York, New York
March 1, 1976

s/ Franklin H. Williams
Franklin H. Williams
s/ Sandra Lopez Bird
Sandra Lopez Bird
s/ Vincent R. FitzPatrick
Vincent R. FitzPatrick

s/ Harold M. Jacobs
Harold M. Jacobs
s/ Gurston D. Goldin
Gurston D. Goldin
s/ Alfred A. Giardino
Alfred A. Giardino

s/ Armand D'Angelo
Armand D'Angelo
s/ Vinia R. Quinones
Vinia R. Quinones
s/ Maynard S. Jones
Maynard S. Jones
Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 and 2)

NO. 1. BROOKLYN COLLEGE - PERSONNEL ACTION: RESOLVED, That in the matter of charges against tenured Assistant Registrar Richard Singer, the Board hereby appoints as an impartial hearing committee Professor Jules Gelernt of Brooklyn College, designated by the Brooklyn College Council on Administrative Policy, Professor Alexander L. Harvey of Queens College, designated by University Faculty Senate Executive Committee, and Professor Phyllis Caroff of Hunter College, who shall be chairperson, selected by the two aforesaid appointees.

NO. 2. URBAN STUDIES: WHEREAS, The fiscal crisis in New York City has reaffirmed the need for a major and increased focus of concentration on detailed and objective studies of the history and problems of New York City in many fields including urban finance, municipal budget management, social welfare policy, economic development, manpower needs, etc., and

WHEREAS, City University has played a premier role among the universities in New York City in serving and acquiring urban oriented faculty resources and in providing research and consultative services to City agencies and community groups, and

WHEREAS, It is in the University's interest, as well as in the City's, to stimulate and promote the problem-solving research and consultative activities focused on problems of New York City, through the coordination of faculty and student efforts and by the organization and concentration of outstanding talents possessed by the University; now therefore be it

RESOLVED, That a coordinated University plan be developed, designed to stimulate, promote and coordinate programs at the colleges and the Graduate Center, to increase the concentration of CUNY faculty and students in urban studies and particularly in the study of the problems of New York City, to engage in applied research on those problems and needs, and to provide consultative services to the City Government and its branches and agencies and to the communities and enterprises of New York City; and be it further

RESOLVED, That the Chancellor immediately appoint an Ad Hoc Committee of appropriate representatives to develop such a plan and to make recommendations for the most efficient use of present University facilities and talents, for the recruitment of faculty urbanists from both within and outside the University with past involvement in City Government and/or major City activities, and for modifications in University procedures, policies and incentives so as to facilitate the implementation of this plan; and be it further

RESOLVED, That a written report on the status of the implementation of this resolution be submitted to the Board by April 15, 1976.

Upon motions duly made, seconded and carried, the meeting was adjourned at 4:30 P.M.

ETTA G. GRASS
Acting Secretary of the Board
MINUTES OF THE MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK
HELD
MARCH 22, 1976
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET - BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 5:05 P.M.

There were present:

Alfred A. Giardino, Chairman
Franklin H. Williams, Vice Chairman

Armand D'Angelo
Sandra Lopez Bird
Vincent R. FitzPatrick

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
President Milton G. Bassin
President William M. Birenbaum
President Thomas C. Chalmers
President Candido A. de Leon
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Robert E. Marshak
President Joseph S. Murphy
President Harold M. Proshansky
Acting President Gerald Lynch
Acting President Morton Rosenstock

Gurston D. Goldin
Rita E. Hauser
Harold M. Jacobs
Vinia R. Quinones

President Kurt R. Schmeller
President Joseph Shenker
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor David Valinsky
Deputy Chancellor Seymour C. Hyman
Vice Chancellor Mary P. Bass
Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Timothy S. Healy
Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng
Vice Chancellor Peter S. Spiridon

The absence of Mr. Murphy was excused.
Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 6)

**NO. 1. CHANCELLOR’S REPORT:** RESOLVED, That the Chancellor’s Report for March 22, 1976 (including Addendum Items) be approved, as amended as follows:

(a) Withdraw the following items:

- Central Office
- Queens
- York
- Staten Island
- Queensborough
- New York City
- Hostos
- LaGuardia
- Medgar Evers
- Lehman
- Kingsborough
- Baruch
- Graduate Center
- City

Mr. Williams, as Chairman of the Committee on Fiscal Affairs and Planning, made the following statement:

At its last meeting my committee took the position of deferring action on all guard service contracts until April. We recommended that no renewal contracts be awarded in the belief that lower amounts might be expended if these contracts were let out for bidding. We also made the determination that no college could expend more on its guard service contract next year than it did this year. As a result of these actions we have asked to have the above items withdrawn from the Chancellor’s Report.

(b) Items listed in PART E - ERRATA, to be withdrawn or changed, as indicated.

**NO. 2. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the Board of Higher Education for the following meetings be approved as circulated:

- April 28, 1975
- May 27, 1975
- June 23, 1975
- July 28, 1975

**NO. 3. COMMITTEE ON ACADEMIC AFFAIRS:** RESOLVED, That the following items be adopted:

**A. HUNTER COLLEGE - B.A. IN WOMEN’S STUDIES:**

RESOLVED, That the interdisciplinary program in Women’s Studies leading to the B.A. degree, to be offered at Hunter College, be approved effective September 1976, subject to financial ability.
This program combines a traditional major in an established field with an 18 credit interdisciplinary program in Women's Studies. The program has been developed in response to the educational needs of students at Hunter where women comprise more than 70% of the student body. It will provide students with new perspectives in their field of interest and prepare graduates to continue their studies at the graduate level in either the traditional major or in Women's Studies. Apart from a new introductory course and a senior research seminar, all courses in the program are already being offered by the various departments participating in the program.

The program will not incur additional costs to the college.

B. ESTABLISHMENT OF HONORARY CLINICAL ASSOCIATE TITLE:

RESOLVED, That colleges of the University with programs which have clinical components in affiliated health service or human service institutions be able to grant the title of Clinical Associate to those non-University personnel who aid in the coordination, instruction or supervision of the clinical component of the program; and it is further

RESOLVED, That where more than one college with the same program utilizes the same institution for clinical experience, the award of the Clinical Associate title shall be made jointly or severally by those colleges; and it is further

RESOLVED, That Clinical Associate be an honorary non-faculty title without financial remuneration to be granted for a renewable period of one year; a person holding such title shall not be or be deemed thereby to be an employee of the Board; and it is further

RESOLVED, That Clinical Associates in recognition of their service to the University, be listed in the college catalog and receive full library privileges.

EXPLANATION: Recognition by City University of individuals who aid its students in clinical experiences is long overdue. It is hoped that the type of recognition herein provided, will acknowledge the University's appreciation of this service by granting special status and some courtesy privileges to the recipients of the title.

NO. 4. COMMITTEE ON ADMINISTRATIVE AFFAIRS: RESOLVED, That the following items be adopted:

A. FURLOUGH: A motion was made and seconded that the following resolution be adopted:

At this point the Board heard the following who spoke in opposition to the resolution:

Professor David Valinsky, Chairman, University Faculty Senate
Dr. Belle Zeller, President, Professional Staff Congress
Ms. Doreen Julius, representing District Council 37
Professor Haig Bohigian, John Jay College

The following resolution was adopted:

RESOLVED, That notwithstanding a resolution entitled Closing of Facilities adopted on February 23, 1976 (Cal. No. 4), the period April 12th through April 18, 1976 may be designated by the Chancellor as a payless furlough period for faculty and staff, pursuant to a resolution entitled Retrenchment, adopted December 15, 1975 (Cal. No. 5) and subject to such terms and conditions relating to the implementation of such furlough as shall be promulgated by the Chancellor.
EXPLANATION: The period April 11 through 18 has been designated as a period during which facilities will be closed. This resolution permits the Chancellor to substitute for such closing a payless furlough for the period April 12 through April 18, 1976.

Mr. D'Angelo asked to be recorded as voting No.

B. BYLAW AMENDMENT RE STUDENT SUSPENSIONS: Notice was served of a proposed amendment to Article XV of the Bylaws regarding student suspensions.

C. GOVERNANCE PLAN - STATEN ISLAND COMMUNITY COLLEGE: A motion was made and seconded that the resolution be adopted.

A motion was made by Mr. Williams and seconded by Mrs. Quinones that the resolution be tabled. The motion was lost.

At this point the Board heard a presentation by President William M. Birenbaum of Staten Island Community College.

The following resolution was adopted:

That the structure of the Faculty Council at Staten Island Community College be approved; and be it further

RESOLVED, That amendments to the structure of the Faculty Council or changes in its relationship to the Student Government at Staten Island Community College be subject to Board approval.

EXPLANATION: The Board's Statement of Policy on the Organization and Governance of The City University of New York contemplated the development of individual comprehensive college governance plans tailored to the needs of the several colleges. Approval by the Board authorizes structures and processes at variance with the Board's Bylaws.

The Board's Committee on Administrative Affairs believes the proposed Faculty Council at Staten Island Community College conforms with the general intent of the Board's Governance Policy.

Mr. Williams, Mrs. Bird and Mrs. Quinones asked to be recorded as voting No.

NO. 5. COMMITTEE ON FISCAL AFFAIRS AND PLANNING: RESOLVED, That the following item be adopted:

A. BRONX COMMUNITY COLLEGE - SILVER HALL CONVERSION:

RESOLVED, That the Board accept preliminary plans, outline specifications and preliminary construction cost estimate of $2,402,836. (as of February, 1976) for the Silver Hall Conversion for Bronx Community College, as prepared by Brown, Guenther, Battaglia, Seckler, Architects; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforesaid preliminary plans, etc. and to authorize the Dormitory Authority to complete final plans, bid documents, etc., for the work.

EXPLANATION: Proposed construction at Bronx Community College consists of implementing certain urgent on-campus rehabilitation work which was recommended in the Campus Master Plan. The work proposed can be described as follows:

Silver Hall is to be converted from its former residential function to provide classroom and office space for the Nursing, English and Speech Departments and for Special Educational Services. A total of 99,496 net assignable square feet is to be provided in the building which contains 112,332 gross square feet.
Heretofore, on October 28, 1974, the Board approved the selection of Architects and Engineers for various design packages. The preliminary cost estimate of $2,402,836, as of February, 1976 when compared with a tentative March, 1974 estimate of $2,284,000, appears reasonable.

The preliminary plans, outline specifications and cost estimate have been reviewed by the College, the Office of Campus Planning and Development and the Dormitory Authority and acceptance by the Board is recommended in order that the Architects may proceed with development of final plans, specifications and cost estimates.

The acceptance by the Board of the design work performed to date by the Architects is an intermediate requirement of the firm's contract with the Authority. The actual construction work (estimated at $2.4 million) will not be contracted unless and until the Board has authorized its bidding and there are funds available for its financing.

**NO. 5A. SOCIAL SECURITY COVERAGE:** The Chairman read a letter from the Mayor indicating the City's intention to withdraw its employees from the Social Security System and requesting that the Board, as a non-mayoral agency, take action to follow suit.

The Board heard Mr. Peter Kiernan of the Mayor's Office and Dr. Ray Horton of the McGivern Commission, who explained the implications of the action and answered questions put to them by members of the Board.

After discussion the Board decided to take the matter under advisement.

**NO. 6. UNIVERSITY REPORT:** No report.

**NO. 7. STATEMENT ON CHANCELLOR'S RESTRUCTURING PROPOSALS:** Dr. Goldin read the following statement into the record:

In November I had expressed my opposition to the Chancellor's October proposal on educational grounds.

In my judgment, that proposal was deficient in terms of its failure to develop a comprehensive educational policy, relating to the nature and mission of the University, which would serve as the conceptual framework for the formulation of specific retrenchment proposals involving structures and programs.

The Chancellor's recent restructuring plan now before this Board is based on a sound foundation of educational policy relating to the nature and mission of the University. It meets the critical test of differentiating the educational roles of the constituent units of the University and assigning academic responsibilities and resources in terms of their respective educational missions.

However, the Chancellor's current proposals are out-of-touch with fiscal reality.

A week ago there was an acknowledged gap of over $50 million between the expenditure limits in the Chancellor's plan and the projected funding levels. As the result of a new downward revision in the City's fiscal contribution for next year, the difference between the anticipated funding and the projected costs is in the range of $70 to $100 million. Any plan predicated on the assumption that the dollar level of State funding for next year will be significantly above this year's level is illusory. The only realistic assumption is that the current level of State funding for CUNY may be maintained even with a decrease in the City's contribution. A University restructuring plan presented to this Board must not only be an educationally sound one, but a fiscally realistic one, too. Such a plan must be one that is consistent with anticipated funding levels rather than one whose projected costs are far in excess of those levels.

**NO. 8. EAST HARLEM PUERTO RICAN CAUCUS:** The Board noted the receipt of a statement and petitions from the East Harlem Puerto Rican Caucus with respect to the Chancellor's restructuring proposals.

Upon motions duly made, seconded and carried, the meeting was adjourned at 6:10 P.M.

ETTA G. GRASS
Acting Secretary of the Board
The Chairman called the meeting to order at 7:30 P.M.

There were present:

Alfred A. Giardino, Chairman
Franklin H. Williams, Vice Chairman

Sandra Lopez Bird
Armand D'Angelo
Vincent R. FitzPatrick
Maynard S. Jones, ex officio

Gurston D. Goldin
Harold M. Jacobs
Vinia R. Quinones

Etta G. Grass, Acting Secretary of the Board
Chancellor Robert J. Kibbee
Deputy Chancellor Seymour C. Hyman

The absence of Mrs. Hauser and Mr. Murphy was excused.

WAIVER OF NOTICE OF MEETING
OF THE
BOARD OF HIGHER EDUCATION

The undersigned members of the Board of Higher Education do hereby waive notice of a special meeting of the members of the Board of Higher Education to be held on March 22, 1976, at 7:30 P.M. at the Board Office at 535 East 80 Street, Borough of Manhattan, City of New York, to transact such business at such meeting as may lawfully come before said Board.

s/ Alfred A. Giardino  
Alfred A. Giardino

s/ Vinia R. Quinones  
Vinia R. Quinones

s/ Gurston D. Goldin  
Gurston D. Goldin

s/ Armand D'Angelo  
Armand D'Angelo

s/ Vincent R. FitzPatrick  
Vincent R. FitzPatrick

s/ Harold M. Jacobs  
Harold M. Jacobs

s/ Sandra Lopez Bird  
Sandra Lopez Bird

s/ Franklin H. Williams  
Franklin H. Williams

s/ Rita E. Hauser  
Rita E. Hauser

Upon motions duly made, seconded and carried, the following resolution was adopted:
NO. 1. SOCIAL SECURITY COVERAGE: WHEREAS, The Board of Higher Education of the City of New York is aware that, under existing law, if termination of the participation of Board of Higher Education in the Social Security program becomes effective, Board of Higher Education may never again participate in the State's agreement with the Federal government in relation to the Social Security program;

NOW THEREFORE, be it resolved:

1. That the participation of Board of Higher Education in the agreement between the State and the Secretary of Health, Education and Welfare for Social Security coverage shall terminate on the last day of the first calendar quarter in 1978, namely, as of March 31, 1978; and

2. That advance notice of such termination shall immediately be given to the Director of the New York State Social Security Agency.

The Board directed that this item come before it from time to time for consideration of the implications of the proposal before the expiration period.

Upon motions duly made, seconded and carried, the meeting was adjourned at 7:40 P.M.

ETTA G. GRASS
Acting Secretary of the Board
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

APRIL 5, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET - BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 6:40 P.M.

There were present:

Alfred A. Giardino, Chairman
Franklin H. Williams, Vice Chairman

Armand D’Angelo
Sandra Lopez Bird
Vincent R. FitzPatrick

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
President Milton G. Bassin
President William M. Birenbaum
President Thomas C. Chalmers
President Candido A. de Leon
President Edgar D. Draper
President John W. Kneller
President Leonard Lief
Acting President Gerald W. Lynch
President Joseph S. Murphy
President Harold M. Proshansky
Acting President Morton Rosenstock
President Kurt R. Schmeller

Gurston D. Goldin
Harold M. Jacobs
James P. Murphy
Vinia R. Quinones

President Joseph Shenker
President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
Professor David Valinsky
Deputy Chancellor Seymour C. Hyman
Vice Chancellor Mary P. Bass
Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Timothy S. Healy
Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng
Vice Chancellor Peter S. Spiridon

The absence of Mrs. Hauser was excused.
The fiscal crisis facing the City University of New York is of a magnitude so great as to threaten its continued existence. Disproportionate and repeated budgetary cuts in the current fiscal year are shaking asunder the academic integrity and viability of a great University.

Until recently the educational and social mission of the University was recognized and funded by our City and State. With the City no longer presently able to fund at former levels, there has been a drastic reordering of social priorities. Even public perception of the University has temporarily changed with some people temporarily blinded and mistakenly seeing the University as an agency that takes away from, rather than one that provides for, the growth of our City and State.

For 129 years and until now the City’s concern for public higher education was unwavering, through wars and economic depressions. The result was the growth of a great University as sufficient funds were provided to respond to educational demands. But today funds are limited. A reordering of priorities by the City and State require the University to contract. In order to carry out its trusteeship responsibility, the Board of Higher Education believes that some immediate alterations in the University’s size and operations are required to preserve the integrity of this great institution. The present fiscal crisis permits no other course. In taking these painful steps we must stress that the long-term solution can be found only by resolving the core of the problem -- namely, the gross inequity in which we find the State funding the senior colleges of State University at a rate three times higher than the students at City University.

In past months numerous proposals have been presented for the restructuring and alteration of the University’s educational services. Various University and Board committees have studied plans. These studies have led to a proposal for restructuring the City University by Chancellor Robert J. Kibbee, dated February 19, 1976. The Board of Higher Education has conducted extensive public hearings at which the views of many hundreds of the University’s various constituencies were advanced. The Board has carefully considered the interests, concerns and views of the individuals and groups that testified or who have written. All of these expressions have influenced and shaped the Board’s thinking. Necessary but painful decisions must be made. In reaching our conclusions we have sought to be attentive to many considerations including:

1. Movement toward new perspectives and direction of higher education including an older student body.

2. Appropriate distribution of the University’s educational services throughout the five boroughs.

3. The necessity to balance the student population throughout units of the University.

4. The importance of preserving academic diversity and specialized educational missions within the new structure of the University.

5. The need to meet different social and educational needs of a highly diversified student body and City in new or different patterns of education.

Dr. Goldin read the following statement into the record:

I intend to vote on the restructuring proposals now before the Board with awareness of the fact that the restructuring plan is out-of-touch with fiscal reality. Fiscal exigencies compel the Board of Higher Education to initiate immediately a measurable process of institutional change involving administrative structures and academic programs.

I now urgently request Chancellor Kibbee to submit to the Board of Higher Education his specific recommendations for closing the acknowledged fiscal gap between the projected costs and anticipated funding levels in his restructuring plan.
This is necessary in order for the Board of Higher Education adequately to fulfill its responsibilities in approving a plan that is both fiscally sound and educationally viable.

It is essential that the Board of Higher Education receive from the University’s chief academic and executive officer his recommendations for bringing the projected costs of the restructuring plan into balance with realistic anticipated funding levels. I regret that the Board has failed thus far to receive any such guidance for closing this acknowledged fiscal gap in the restructuring plan now before the Board.

Mr. Jones presented a statement calling upon the Board to allow public debate upon the items on the calendar since, he said, they differed from those in the Chancellor’s original restructuring plan which were discussed at the public hearing on March 8.

Mrs. Bird said that inasmuch as there appeared to be considerable disagreement among the members of the Board as to whether this plan would achieve the necessary savings, she moved to table Calendar Nos. 1 through 12 until the Board would have an opportunity to consider the alternate plan presented by the minority members of the Board. The motion was seconded by Mrs. Quinones. The motion was lost.

Mrs. Quinones stated that the present set of twelve resolutions do not viably restructure the University both from an academic and a fiscal point of view.

**NO. 1. STATEN ISLAND COMMUNITY COLLEGE AND RICHMOND COLLEGE:** The resolution was moved and seconded.

Mrs. Quinones moved as a substitute resolution and read into the record the Minority Proposal for Restructuring the University:

> From the early 1800’s to the present day, victims of persecution, prejudice, discrimination and poverty have come to New York City in numbers unequalled elsewhere. The City University and its colleges provided them with a ladder for upward mobility. No governmental agency has contributed more to the growth of the economy and cultural base of this City than its municipal colleges - now University system.

> That University is literally on the brink of collapse. The City of New York is foundering in a fiscal morass of such magnitude as to cause its leadership to disclaim further responsibility for the University, the greatest social and cultural asset this City possesses.

> The product of the City University, i.e., successful graduates, cannot be measured in dollars nor can their contributions to the quality of life in the city be quantified. For this reason, the University is easy prey for the budgetary axe. The axe is stayed only where the expenditure produces a clearly measurable return exceeding the outlay.

> Numerous proposals designed to reduce the scope, mission and cost of the University have been advanced in the past weeks and months. In general the proposals have been met with such serious opposition as to immobilize the decision-making process within the University and the Board of Higher Education. It is our position that all the restructuring proposals thus far, have impacted primarily on those who can least afford the denial or reduction, of educational opportunity... mainly the city’s minority and poor population.
In the midst of the current turmoil and confusion, there remain several factual certainties. First: The City University, since the inception of open admissions in the Fall of 1970, has provided exposure to higher education for countless thousands of students who would otherwise have had no chance to advance beyond the secondary school level. Second: Criticisms dealing with costs and academic standards of the University's open admissions program all avoid one simple fact, i.e., open admission students are succeeding at a rate equal to the national average. Third: Although it is true that high school average and test results are predictors of potential for success, they are extremely imprecise. The University - to survive in the current reality - must change its nature, its size, its scope, but if it is to be preserved in a new form, or rather if it is to be worthy of preservation, it must retain the essence of its uniqueness, i.e., its promise and opportunity for the population of this City.

Action must be taken and rational decisions made. The failure to act now will further erode the University’s spirit and will shortly result in either the final demise of this institution, or much worse, the manipulation of its remains by political forces external to the City and the needs of its citizens.

We believe that the Chancellor's proposal of February 19, 1976, does not adequately restructure the University. It fails to address in any meaningful way achieving a university which will provide like standards and quality education across the board.

In advancing a broad outline for the restructuring of the University, we reaffirm our commitment to three basic principals in this order of priority:

**Quality Education**

**Open Admissions**

**Free Tuition**

We believe that the University should be a single academically and administratively consolidated educational institution, with various campuses of the one institution responding to the special needs of a changing urban population. Each of these campuses should reflect the educational mission, philosophy, and standards, established by a strong central university administration.

We believe that this educational model can insure that University standards and quality are consistent throughout guaranteeing thereby that all CUNY degrees will reflect the same high level of competency; a fact which is not so presently. We demand and expect that equally appropriate rigorous standards will be imposed on students under the jurisdiction of the Board of Education as a prerequisite for the high school diploma.

We hold fast to the concept of Open Admissions. We believe that a New York City high school diploma or its equivalent should be the only admissions requirement to the University. However, confronted with fiscal stringencies, the Board of Higher Education is sacrificing the policy of open admissions.

We reaffirm our commitment to necessary remediation.
Proposals for limitation of enrollment to those applicants performing at a given level on skills tests in English and mathematics appear to be reasonable on the surface. A detailed examination of the implementation of such a policy indicates that:

1) The student population would become approximately 87% white - i.e. re-segregated.

2) The educational mission of the University will apply to a selected minority of the population of the City.

3) The various reports, plans, statements of the mission, etc. for restructuring the University fail to come to terms with the inadequacy of current instruments used to test and measure achievement of Black and other minority students because of the failure of past educational experiences to provide them with the analytical and linguistic skills needed for successful performance on group tests.

4) That studies such as the Lavin reports of August, 1974 and December 1975, and earlier ones such as the Plaut research of 1966 demonstrate that students from these groups do in fact achieve successful monitoring of college level work at a rate comparable to and, in some instances, superior to the national norms.

The imposition of limitations based on performance of writing skills, at a time when national norms in writing and predictive tests such as the SAT are declining, will be destructive for many potential successful aspirants for higher educational training. We reject any proposal that would place students for remediation purposes into the hands of those who failed to teach them in the first place. The damage that would ensue from segregated improvement centers in the areas of maturation, self-concept and forward movement appears to have escaped those proponents of such plans.

The present criteria for admission to the City University are the most equitable for preserving access to higher education.

We are committed to increasingly strengthened retention standards as students move up the education ladder so that a CUNY degree will in fact attest that the student has advanced to the level of competency which the degree represents. Our commitment is not only to open admissions but, as well, to "real" education.

We understand the fiscal restraints that face the University, and we know that we must make the kinds of fiscal sacrifices necessary to meet them. We believe that any reduction in fiscal expenditures must be shared by all, through changes in the structure of the University, by ensuing savings in administrative costs and other areas. We will not tolerate measures which, under the guise of reductions, sacrifice the quality, the availability, and the special programs of higher education for the City’s minorities and the poor.
CENTRALIZATION PLAN FOR CUNY

Based on the above principles, this plan represents a total redesign of the University. This proposal addresses itself to:

1. budgetary realities;
2. population diversity and educational needs;
3. geographic and economic realities of communities served by the University.

Accordingly, budgetary cuts are to be distributed equitably among the various components of the system. This plan maintains the essential principle of equity throughout the total system, it is therefore significantly unlike other proposals because it does not adopt the strategy of the status quo.

THE ADMINISTRATIVE STRUCTURE OF THE UNIVERSITY

The present unnecessary duplication of administrative cost in the University currently runs to approximately 40% of the University's operating budget. A reorganization of the nineteen independent colleges and central office's administration into a single administrative system can achieve a savings of over 90.0 million dollars within one year (FY 1976-77).

This cost reduction can be achieved through centralizing operational areas and functional services. That is, by centralizing such operations as:

1. computer services and operations—terminals located at each campus rather than maintaining complete computer operations;
2. audio-visual production services;
3. facilities and planning services;
4. general purchasing of essential equipment and supplies;
5. printing and production of institutional publications and reports (printing of nineteen separate catalogs annually costs over 1/4 million dollars alone!);
6. library purchasing, acquisitions, and cataloging;
7. financial aid programs, accounting and budgeting systems, and registration systems.

The present computer capacity of the University is underutilized. To optimize utilization while increasing effectiveness in service delivery, the following are functional areas which can be computerized:

1. financial aid programs;
2. accounting and budgeting systems;
3. registration systems;
4. library cataloging — limiting mis-utilization of reservation functions, and eliminating duplication of nineteen libraries.

By centralizing these various operations and computerizing functional areas within certain operations — which are not necessarily exclusive or exhaustive — the need for the present complement of administrative personnel throughout the system will be drastically reduced.
THE ACADEMIC STRUCTURE OF THE UNIVERSITY

In order to maximize the effectiveness of educational programs in each of
the boroughs, it is advantageous to provide for specialization in accordance with the
individual programs that have been developed by various colleges. This would enhance
the value of these campuses in the CUNY system and provide for the unique educational
needs of many of our citizens.

The academic structure proposed allows broad access to these opportunities,
strengthens academic viability, and facilitates the meaningful movement by citizens
through the system. This model of a Comprehensive University --- in addition to offering
baccalaureate and post-graduate programs, continues to provide ---

an array of one-year certificate options through which citizens may develop
their professional and career talents, such as the programs on Staten Island;

an appropriate agenda of two-year degrees in technological, career fields,
and specialized educational-business programs, such as the several Community Colleges;

an important offering of career-business programs, such as LaGuardia
Community College and New York City Community College.

A Comprehensive University provides the citizenry with a series of
educational stop-in and stop-out opportunities appropriate to the diversity and reality
of their higher educational needs. For example, in the Borough of Manhattan, there are
presently four senior colleges and one community college --- the community college,
similar to other community colleges would provide Liberal Arts and Career Programs
with each major program (e.g., Liberal Arts Program; Career Program) providing access
to the senior campus which offers the continuation, that is, baccalaureate level, of that
program --- e.g., CCNY: Liberal Arts and Engineering; Baruch: Business Administration;
Hunter: Social (Welfare) Sciences, Education, etc. (These are examples and are by no
means exhaustive in nature.)

The very important offerings as evident by the special campuses, such as
LaGuardia, New York City Community, and Hostos will retain their present identity
and uniqueness. Medgar Evers and Brooklyn will relate to Kingsborough Community
similar to the above examples.

In reorganizing the University into a consolidated educational model, the
specialization of academic offerings supports the uniqueness of each campus and
responds to the specific needs of a changing urban population. This model strengthens
the articulation among the campuses within the system.

Finally, this comprehensive model can insure that University Standards and
quality are consistent throughout guaranteeing, thereby that all CUNY degrees will
reflect the same high level of competency.
City University Budget

For

Administrative Centralization

(Amount in thousands)

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
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<tr>
<td>Senior Colleges</td>
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<tr>
<td>Community Colleges</td>
<td>111,000</td>
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<tr>
<td>University Management</td>
<td>10,115</td>
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<tr>
<td>City University Construction Fund</td>
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<tr>
<td>New York Public Library</td>
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<td>*SEEK</td>
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<td>*College Discovery</td>
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<tr>
<td>Other University Programs</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$ 476,097</strong></td>
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Note: The above figures represent an 18% reduction in the 1975-76 budget allocations, except those marked with an asterisk (*).
SAMPLE COLLEGE BUDGETS PER FTE
FOR
ADMINISTRATIVE CENTRALIZATION

**SENIOR COLLEGE**

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**COMMUNITY COLLEGE**

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<td>Instructional Support</td>
<td>$316</td>
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<tr>
<td>Administrative Cost</td>
<td>$365</td>
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The motion was seconded by Mr. Williams. The motion to substitute the resolution was lost.

The resolution was put to a vote. Mrs. Quinones asked that the roll be called. The following resolution was adopted:

RESOLVED, That effective September 1, 1976 Staten Island Community College and Richmond College be joined to form a single, federated Institution operating distinct junior division programs funded as a community college and senior division programs funded as a senior college under a single administration; and be it further

RESOLVED, That the Chancellor be directed to initiate plans for consolidating the operations of this institution at the physical facilities now occupied by Staten Island Community College.

EXPLANATION: The foregoing resolution is designed to consolidate the operations of the two institutions on Staten Island into a single institution while at the same time preserving the distinct characteristics of the present institutions. It is anticipated that substantial savings will result from the consolidation of the physical facilities and administrative and support services.

Dr. Goldin, Mr. D’Angelo, Mr. Jacobs, Mr. FitzPatrick, Mr. Murphy and Mr. Giardino voted Yes. Mrs. Bird, Mrs. Quinones and Mr. Williams abstained.

NO. 2. BRONX COMMUNITY COLLEGE AND HOSTOS COMMUNITY COLLEGE: The resolution was moved and seconded as amended to read in the third RESOLVED, “the consolidated Hostos-Bronx Community College” and to delete in the EXPLANATION the words “to be called Eugenio Maria de Hostos Community College.”

Mrs. Bird moved to table the resolution since the details on how the merger would work had not been spelled out. The motion was seconded by Mr. Williams. The motion to table was lost.

The following resolution as amended was adopted:

RESOLVED, That effective September 1, 1976 the Bronx Community College and the Eugenio Maria de Hostos Community College be merged into a single community college; and be it further

RESOLVED, That the Allied Health Programs and Bilingual Program now operated by Hostos Community College be retained at Bronx Community College; and be it further

RESOLVED, That the consolidated Hostos-Bronx Community College be authorized to expand the Bilingual Program in response to student demands subject to such limitations as may be imposed from time to time by the Board of Higher Education; and be it further

RESOLVED, That the Chancellor be directed to take such measures as may be required to achieve this consolidation.

EXPLANATION: The above resolution is designed to merge Bronx Community College and Hostos Community College into a single institution. The new institution will be located on the site now occupied by Bronx Community College. The merger is designed to reduce expenditures by eliminating what duplication of academic programs may exist and to consolidate administrative and support functions as well as physical facilities. At the same time it is the clear intent that the specialized allied health program and the bilingual program now operated by Hostos Community College be continued as an integral part of the new institution.

Dr. Goldin, Mr. D’Angelo, Mr. Jacobs, Mr. FitzPatrick, Mr. Murphy and Mr. Giardino voted Yes. Mrs. Bird, Mrs. Quinones and Mr. Williams voted No.
NO. 3. MEDGAR EVERS: The resolution was moved and seconded.

Mr. Williams moved an amendment to the resolution which would allow Medgar Evers to continue as a senior college at the present time, subject to reconsideration on the basis of future enrollment patterns at senior colleges throughout the University which will provide a factual basis for determining future demands for senior college enrollment. The motion was seconded by Mrs. Quinones.

Mr. Jacobs spoke of his ties to Medgar Evers ever since its inception and explained the reasons for the way he intended to vote.

The amendment was voted down.

At this point the Board recessed for dinner. Upon its return, because of the temporary absence of Dr. Goldin, the Board decided to discuss Cal. No. 4 before voting on Cal. No. 3.

NO. 4. JOHN JAY COLLEGE OF CRIMINAL JUSTICE: Mr. D'Angelo moved an amendment to the resolution. The motion was seconded by Mr. Jacobs. The amendment was adopted as follows:

RESOLVED, That effective September 1, 1976 John Jay College of Criminal Justice will be reorganized and restructured so as to limit its academic focus to the fields of criminal justice and fire science; and be it further
RESOLVED, That programs in criminal justice and related fields now offered by John Jay College of Criminal Justice be continued and majors in liberal arts and sciences be eliminated; and be it further
RESOLVED, That the Chancellor be directed to take such measures as may be required to achieve this reorganization.

Mrs. Bird, Mr. D'Angelo, Mr. FitzPatrick, Mr. Giardino, Mr. Jacobs and Mr. Murphy voted Yes. Mr. Williams voted No. Mrs. Quinones abstained.

At this point the Board returned to Cal. No. 3.

NO. 3. MEDGAR EVERS: The resolution was put to a vote. Mr. D'Angelo, Mr. FitzPatrick, Mr. Jacobs and Mr. Murphy voted Yes.

At this point Mrs. Quinones moved to table the resolution. Mrs. Bird seconded the motion. The motion was adopted. Mr. Williams and then Mrs. Quinones asked that the motion be reconsidered.

Mr. FitzPatrick moved that the meeting be adjourned. Mr. Jacobs seconded the motion. The motion was lost.

Mr. Murphy moved to table the resolution in view of the continued absence of Dr. Goldin. Mr. Jacobs seconded the motion. The motion was adopted, with Mr. D'Angelo, Mr. FitzPatrick, Mr. Jacobs, Mr. Murphy and Mr. Giardino voting Yes, and Mrs. Bird, Mrs. Quinones and Mr. Williams voting No.

NO. 5. YORK COLLEGE: The resolution was moved and seconded. Mrs. Quinones moved to table the resolution. The motion was seconded by Mr. Williams. The motion was lost.

The following resolution was adopted:
RESOLVED, That York College be continued as a senior college at the present time, subject to reconsideration on the basis of future enrollment patterns at senior colleges throughout the University which will provide a factual basis for determining future demands for senior college enrollment.

Mr. D'Angelo, Mr. FitzPatrick, Dr. Goldin, Mr. Jacobs, Mr. Murphy and Mr. Giardino voted Yes. Mrs. Bird, Mrs. Quinones and Mr. Williams abstained.

NO. 6. ADMISSIONS: The resolution was moved and seconded.

Mr. Williams moved to eliminate from the third RESOLVED the phrase "by the Board of Education in accordance with terms to be worked out by both Boards." The motion was seconded by Mrs. Quinones.

A further amendment was moved and seconded to add the following:

"and be it further

"RESOLVED, That the above resolution supersedes the resolution adopted by the Board on December 15, 1975, Cal. No. 6."

The amendments were adopted, with Mr. D'Angelo, Mr. FitzPatrick, Mr. Jacobs, Mr. Murphy, Mrs. Quinones and Mr. Williams voting Yes, Mr. Giardino and Dr. Goldin voting No, and Mrs. Bird abstaining.

The following resolution as amended was adopted:

RESOLVED, That effective with the entering freshman class in the Fall of 1976, the minimum requirements for admission to senior colleges of the University will be a high school admissions average of 80% or better, or a rank in class at the 66th or higher percentile or evidence of comparable achievement acceptable to the Chancellor on the basis of Scholastic Aptitude Tests; and be it further

RESOLVED, That for admission to one of the community colleges of the University, the minimum requirement shall be a college admissions average of 70% or better, or a rank in class at the 26th or higher percentile or by evidence of proficiency in basic skills acceptable to the Chancellor on the basis of a test administered by the University or by the presentation of an acceptable score on the GED examination; and be it further

RESOLVED, That applicants who do not meet the minimum requirements for admission to a senior college or community college shall be offered conditional admission to a transitional program to be operated under the supervision of the Board of Higher Education. Such students shall be offered instruction designed to improve their level of mathematical and language proficiency and shall be offered the opportunity to sit for a proficiency examination on a regularly scheduled basis; and be it further

RESOLVED, That applicants to the senior colleges who are admitted to SEEK and applicants to the community colleges who are admitted to College Discovery shall be admitted without reference to the criteria outlined above; and be it further

RESOLVED, That the above resolution supersedes the resolution adopted by the Board on December 15, 1975, Cal. No. 6.

Mr. D'Angelo, Mr. FitzPatrick, Mr. Jacobs, Mr. Murphy, Mrs. Quinones and Mr. Williams voted Yes. Mr. Giardino voted No. Mrs. Bird and Dr. Goldin abstained.
At this point Dr. Goldin moved that Cal. No. 3 be removed from the table. The motion was seconded by Mr. Jacobs. The motion was adopted, with Mrs. Bird, Mr. D'Angelo, Mr. FitzPatrick, Mr. Giardino, Dr. Goldin, Mr. Jacobs, Mr. Murphy and Mrs. Quinones voting Yes, and Mr. Williams voting No.

**NO. 3. MEDGAR EVERS:** Upon motions duly made, seconded and carried, the following resolution was adopted:

- RESOLVED, That effective September 1, 1976 the name of Medgar Evers College be changed to Medgar Evers Community College; and be it further
- RESOLVED, That the current authorization of Medgar Evers College to offer Baccalaureate Degree Programs be terminated effective June, 1978; and be it further
- RESOLVED, That Medgar Evers Community College be authorized to offer a four year Baccalaureate Program in Nursing and that the number of students enrolling annually in the third year of the program be limited to 125.

**EXPLANATION:** The intent of the resolution is to convert Medgar Evers College from its current status as a senior college to a community college. Because of location of the institution and the special nature of the Nursing Program, specific authorization will be requested to present the offering of the Baccalaureate Degree in Nursing at Medgar Evers Community College. Upper division students now in attendance at Medgar Evers College will be offered the option of transferring to the senior college at another institution or complete the degree at Medgar Evers provided that completion is accomplished by June 1978.

Mr. D'Angelo, Mr. FitzPatrick, Dr. Goldin, Mr. Jacobs, Mr. Murphy and Mr. Giardino voted Yes, Mrs. Bird, Mrs. Quinones and Mr. Williams voted No.

At this point the Chairman called for another vote on Cal. No. 4 as amended since there seemed to be some question as to whether the previous vote was on the amendment which was adopted or on the main resolution as amended.

**NO. 4. JOHN JAY COLLEGE OF CRIMINAL JUSTICE:** Upon motions duly made, seconded and carried, the following resolution was adopted:

- RESOLVED, That effective September 1, 1976 John Jay College of Criminal Justice will be reorganized and restructured so as to limit its academic focus to the fields of criminal justice and fire science; and be it further
- RESOLVED, That programs in criminal justice and related fields now offered by John Jay College of Criminal Justice be continued and majors in liberal arts and sciences be eliminated; and be it further
- RESOLVED, That the Chancellor be directed to take such measures as may be required to achieve this reorganization.

Mrs. Bird, Mr. D'Angelo, Mr. FitzPatrick, Dr. Goldin, Mr. Jacobs, Mr. Murphy and Mr. Giardino voted Yes, Mr. Williams voted No, Mrs. Quinones abstained.

**NO. 7. STUDENT RETENTION PROGRESS:** Upon motions duly made, seconded and carried, the following resolution was adopted:

- RESOLVED, That the grade of "incomplete" or its equivalent shall be awarded only when the course requirement has not been completed for good and sufficient reasons and where there is reasonable expectation that the student can in fact successfully complete the requirements of the course; and be it further
RESOLVED, That the grade of (W), withdrawal without penalty, be awarded only when it is clear that the student has good and sufficient reasons for withdrawing from the course and is doing so at a time when he or she is doing passing work in the course; and be it further

RESOLVED, That no-credit grades, (F), failing grades, withdrawal grades and their equivalents be incorporated in student’s cumulative average for the purpose of determining academic standing and satisfactory progress towards a degree; and be it further

RESOLVED, That satisfactory progress toward a degree shall be defined as the satisfactory completion of:

1. At least one-half of the first four (4) courses or twelve (12) credits attempted.

2. At least two-thirds of the first eight (8) courses or twenty-four (24) credits attempted.

3. At least three-quarters of the first twelve (12) courses or thirty-six (36) credits attempted.

4. At least three-quarters of all courses attempted in any subsequent semester and cumulatively by the end of each subsequent semester;

and be it further

RESOLVED, That each student will be expected to maintain a grade point average of at least 1.50 for the first four (4) courses or twelve (12) credits attempted and at least a 1.75 grade point average for the first eight (8) courses or twenty-four (24) credits attempted. In each subsequent semester students will be expected to maintain at least a 2.00 grade point average; and be it further

RESOLVED, That students who fail to achieve these standards will be placed on probation for one semester and if unable to correct their deficiencies during that semester will be dropped from the University. The normal academic appeals procedure of each college will continue to consider individual cases and to make such exceptions to the implementation of these guidelines as unusual circumstances may warrant; and be it further

RESOLVED, That students who are dropped from the University for academic reasons may apply for readmission after one semester and be subject to normal faculty decisions; and be it further

RESOLVED, That students moving to the upper divisions of a four-year college either from the lower divisions of the college or from a community college within the University system or outside of it must provide evidence, in accordance with a standard to be determined by the Chancellor, that they have attained a level of proficiency in basic learning skills necessary to cope successfully with advanced work in the academic disciplines.

EXPLANATION: Foregoing resolutions are intended to maximize the instructional resources of the University. With the inception of the Open Admissions Program, the University and its faculty have liberalized the grading process so as to maximize opportunities for students. In the process, the grading system has been abused to the extent that very little incentive has been provided the student where he or she is doing less than average work. The intent of these resolutions is to have students’ transcripts accurately reflect their performance and to maximize the available instructional resources.

Mr. D’Angelo, Mr. FitzPatrick, Dr. Goldin, Mr. Jacobs, Mr. Murphy and Mr. Giardino voted Yes. Mrs. Bird, Mrs. Quinones and Mr. Williams abstained.
NO. 8. CONSOLIDATION OF PROGRAMS: Dr. Goldin moved an amendment to the resolution, deleting from the first RESOLVED the phrase "in which duplication exist to an extent" so that it would read "those areas which are not justified by" etc., and deleting from the second RESOLVED the phrase "represent duplication within the University and." The motion to amend was seconded by Mr. FitzPatrick. The amendment was adopted, with Mr. D'Angelo, Mr. FitzPatrick, Dr. Goldin, Mr. Jacobs, Mr. Murphy and Mr. Giardino voting Yes, and Mrs. Bird, Mrs. Quinones and Mr. Williams abstaining.

The following resolution as amended was adopted:

RESOLVED, That the Chancellor be directed and authorized to review all program offerings within the University: doctoral, masters, baccalaureate, and associate degree levels, and to determine those areas which are not justified by student demand, enrollment, and quality, geographic distribution or other relevant academic or fiscal criteria; and be it further

RESOLVED, that the Board direct the Chancellor to recommend to it the elimination of programs that are not demonstrably necessary as measured by the criteria outlined above.

EXPLANATION: The above resolution is intended to direct and authorize the Chancellor to accomplish a consolidation of program offerings within the University which will maintain the diversity of the City University's offerings but at the same time eliminate weak duplicate programs. It is the Board's intent and desire to provide the widest range of options to its students. At the same time the Board does not believe it is necessary to offer all of its programs at all of its units at all of its locations. The Board believes that student motivation will be sufficient to cause students to gravitate to the locations of program offerings.

Mr. D'Angelo, Mr. FitzPatrick, Dr. Goldin, Mr. Jacobs, Mr. Murphy and Mr. Giardino voted Yes. Mrs. Bird, Mrs. Quinones and Mr. Williams abstained.

NO. 9. ADMINISTRATIVE SUPPORT SERVICES: Upon motions duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That the Board now limit the portion of the Personnel Budget devoted to administrative and instructional support services to the following guidelines: for institutions with 18,000 students (headcount) or more, that portion of the Personnel Budget utilized for administrative and instructional support shall not exceed 19%; for institutions with enrollment of 12,000 to 18,000, appropriate percentage shall be 21%; for institutions with students numbering from 6,000 to 12,000, the percentage shall be 23% and for institutions with less than 6,000 students, the percentage shall be 25%; and be it further

RESOLVED, That the Board direct the Chancellor to develop guidelines, procedures and mechanisms for insuring that the several colleges of the University adhere to the above maxima and if he deems that exceptions are warranted, to make appropriate recommendations to the Board.

EXPLANATION: The Board believes that some limitation can even be placed on the amount college budgets expend for administrative and support services. After studying a review of the existing college operations, the Board believes that the above limitations are reasonable and will provide restraints within which institutional administrators can reasonably function.

Mr. D'Angelo, Mr. FitzPatrick, Dr. Goldin, Mr. Jacobs, Mr. Murphy and Mr. Giardino voted Yes. Mrs. Quinones voted No. Mrs. Bird and Mr. Williams abstained.
NO. 10. ACADEMIC CALENDAR: The resolution was moved and seconded. Mr. Murphy moved to amend the resolution to indicate that students, as well as faculty and the Presidents, are to be consulted. Mrs. Quinones seconded the motion. The amendment was adopted, with Mrs. Bird, Mr. D'Angelo, Mr. FitzPatrick, Mr. Jacobs, Mr. Murphy, Mrs. Quinones, Mr. Williams, and Mr. Giardino voting Yes, and Dr. Goldin voting No.

The following resolution as amended was adopted:

RESOLVED, That the Board direct the Chancellor to implement a modified calendar system utilizing the trimester basis, in those institutions of the University which he determines can handle adequately the administrative problems entailed by an immediate and rapid conversion to a new calendar system; and be it further

RESOLVED, That the precise form of the revised calendar should be determined by the Chancellor after consultation with the faculty, the Presidents and the students; and be it further

RESOLVED, That the Board direct the Chancellor to implement the trimester calendar throughout the system by September 1, 1977 subject to such exceptions as the Chancellor determines to be academically justified.

EXPLANATION: The Board believes that there are substantial economies that might be gained from the implementation of the trimester calendar system in the City University. On the other hand, the Board recognizes that implementation of such a major calendar change in an institution of this size would produce very serious administrative problems and, therefore, believes that the implementation should be phased into the University on a cautious but relatively speedy basis.

Mr. D'Angelo, Mr. FitzPatrick, Mr. Jacobs, Mr. Murphy, Mr. Williams and Mr. Giardino voted Yes. Dr. Goldin voted No. Mrs. Bird and Mrs. Quinones abstained.

NO. 11. CONSOLIDATION AND REVIEW: Upon motions duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That the Board of Higher Education direct the Chancellor and his staff to continue to examine the operations of the University at its various colleges, to identify any and all operations, procedures and policies which can be consolidated in order to perform more efficiently at all the colleges.

Mr. D'Angelo, Mr. FitzPatrick, Dr. Goldin, Mr. Murphy, Mr. Williams and Mr. Giardino voted Yes. Mrs. Bird and Mrs. Quinones abstained.

NO. 12. IMPLEMENTATION: The resolution was moved, seconded and failed to secure a majority, with Mr. D'Angelo, Mr. FitzPatrick, Mr. Giardino and Mr. Jacobs voting Yes and Mrs. Bird, Dr. Goldin, Mr. Murphy, Mrs. Quinones and Mr. Williams abstaining.

Dr. Goldin made the following statement:

I had indicated earlier today that I would participate in the vote on the proposals before this Board, fully aware of the fact, as I have stated frequently, that the plan that is before us, though it may be academically sound is fiscally unsound. I recognize that the fiscal crisis compels this Board to institute immediately a process of institutional change. However, I still await from the Chancellor a specific plan to close the gap between the projected costs and anticipated funding levels. Until I receive that plan from the Chancellor, I cannot vote on No. 12.
Mrs. Bird indicated for the record that insofar as she finds the whole plan unacceptable, she could not vote for any of the items in it.

Mr. Giardino read the following statement presenting his views on the funding problems of the University and his proposals for future funding from the State and the City:

What we have presently adopted relates to the academic restructuring and consolidation of the University. That provides the academic part of the answer for planning the future of City University.

However, rational planning also requires reasonably firm knowledge of the budget within which the University must work. Regrettably, the last year has seen unprecedented sudden and sharply fluctuating budget cuts imposed upon the University. The need is for the development of future funding plans by the City and State which would provide for an orderly increase of State funding to the level now given to the senior colleges and for a long-range objective toward a single funding formula to permit educational and financial efficiency and flexibility.

The dilemma faced by the Board is that we do not know the nature of the budget that may be available to us in the future. Negotiations are now taking place between the City and the State with respect to the share of higher education costs that each should provide. As The New York Times recently put it, the University has been asked to restructure under conditions "like rebuilding a house in total darkness, without any indication of the building materials available for the task."

Our joint obligation is to see to it that the historic imbalance between State and City funding of the University is righted. The State now funds the City University community colleges on exactly the same basis that it funds the State University community colleges. In the senior colleges, however, for every one dollar the State spends on a City University student, it spends three on a State University student. A City University four-year college received 44.4% of its budget from the State last year. That same year, a State University senior college received 87.3% of its budget from the State.

Every major study made in recent years, such as the Wagner Commission, the Governor's own "Task Force" on higher education and the Task Force of the State's Board of Regents have urged increased State funding of public higher education so that all citizens of the State receive their fair share of the educational tax dollar. We urge upon the Governor and the State Legislature to respond affirmatively to the voices of these good citizens.

Our Board recognizes the practical problems of accomplishing a shift in the funding relationship in a short period of time. However, the need is to set a fair and reasonable goal or relationship for the future funding of City University's four-year colleges. We believe that eventually it should approximate the following fiscal relationship or ranges:

75% - 80% direct State funding
10% - 15% income from fees
10% - 15% direct City funding
Some direct City funding is necessary for a variety of reasons. It clearly preserves the City University as an articulated entity, stretching from its nine community colleges through seven University colleges with their varied professional and liberal arts degree programs, up to its graduate school and allied medical school. It guarantees that the City have both voice and vote in determining the University's service to it and its people. Finally, it would keep alive the dream and reality of free public higher education, of opportunity and promise for talented citizens of all ages, colors and conditions, which for over a century and a quarter has distinguished this City.

PROPOSAL FOR FUTURE FUNDING

(1) During the transition period we urge that

1. The City commit itself to make available to the University for 1976-77 the amount presently set forth and approved in its current three-year fiscal plan, namely, $211.7 million.

2. The State commit itself to provide a constant level of financial support approximately 5% less than the amount adopted by the State for the current school year, 1975-76, namely, $280.7 million as opposed to $293.3 million which was provided in the budget adopted by the Legislature.

Projected figures for 1976-77 indicate a reduction of almost $124 million for that year from the last normal budget figure of $679.2 million which was adopted by the State Legislature in March 1975. That reduction has been achieved through increased faculty productivity, higher student fees, other economies, and the restructuring plan above described. This is a gross reduction in spending of 18.2% from July 1, 1975 to July 1, 1976 -- a startlingly rapid decrease in a period of rising costs. This lower spending rate declines further during the following year -- inflationary trends notwithstanding. This would permit an orderly and gradual increase in the percentage of State funding and would move toward increased State responsibility for higher education.

The level of support proposed here for higher education in New York City would provide a condition of stability, albeit in austerity, that would permit the University to carry out its educational mission and maintain its academic quality.

It must be recognized that although tuition is frequently proposed as a solution, it is not in fact a solution to the University's fiscal problems. To the extent that the University might require additional funds, over and above the amounts indicated, it would be appropriate for the Board to consider means of generating income from within the University whether in the form of fees or tuition, or in other ways. However, absent firm commitments from the State and City as to their levels of support, additional income, however it is generated, has no meaning as part of the total funding of the University.
Beyond the purely fiscal considerations, the so-called "free tuition" policy raises important social and political issues that must be considered. These are matters of public policy, originally instituted through political processes. If they are to be reconsidered, they should again be addressed by the people or their elected representatives. (Tuition is now paid by 36,000 undergraduate non-matriculated students at $25 per credit (community colleges) or $30 per credit (senior colleges), 27,000 Master and doctoral students at rates higher than at State University, and 27,000 adult and non-resident matriculated students. All "free tuition" matriculated students pay fees of up to $110 plus obligatory student fees.)

Mr. Williams, in addressing the Chairman of the Board, said:

Let me personally endorse every word in your statement and subscribe to it fully. Now, let me address myself to you personally for a moment.

For two years and three months I, even as you and others, have served on this Board as a public service and have done my best to assist you. There have been many times when we have disagreed but if during such disagreements any of my comments seemed to have been personalized, it was not so intended. I have attempted over these past two years and three months to preserve the City University as I have understood its mission to be, and that understanding, unfortunately, differs from that of a majority of my colleagues.

The actions we have taken tonight, the impact of those actions is going to be felt disproportionately by those people of this City who are least able to resist, to fight back, and who most need academic opportunities. They happen to be the Black, Puerto Rican, and poor residents of New York. I suggest that the next thing that will occur, whether initiated by this Board or elsewhere, will be the imposition of the additional burden of tuition.

Let me express my personal respect to you for the manner in which you have carried your heavy responsibility. This has been a difficult time for you. I have shared in this Board at all times with a commitment to getting the job done. I believe, however, that it is necessary now, in view of the actions that we have taken this evening that I be true to my conscience as well. In expressing my deep respect to all of you, I submit my resignation to you and I shall submit it to the Governor tomorrow.

Mr. Giardino expressed regret at Mr. Williams' decision and stated that Mr. Williams had been a tower of strength in helping to meet the problems of the University and in having accepted chairmanship of many important committees.

Mr. D'Angelo expressed regret at Mr. Williams' resignation and then read the following statement:

We have now taken an important step in the process of restructuring the University in the light of the financial crisis affecting our chief funding sources, the State and the City of New York.

The resolutions we have adopted are responsible actions which will permit the retention of open access for all immediate high school graduates and returning veterans in accordance with the Full Opportunity Program provisions of the State Education Law. The consolidations we have voted will unfortunately result in short-term dislocations, but they are required for the long-term health and stability of this University.
We need take no pleasure in these measures. They do hurt. As time goes on we may find ways to soften this hurt. Any cutbacks performed under pressure must hurt. But surgery had to be performed. But these measures are only a beginning to the solution of our problem.

What we have yet to identify are the financial implications of our actions today not only for the coming year but for several years to come.

Our chairman has circulated an analysis of future funding patterns which would maintain the current policy of free tuition for matriculated undergraduate students. This is a noble objective. I also, believe in free tuition. But I don't believe that this fiscal formulation will be given serious consideration by the State and the City. Without a tuition policy comparable to that in the State University system, there would be required, under the academic program we voted today, more than 76 million dollars of additional State and City appropriations beyond the levels now provided for the coming year in the State budget and in the City's modified financial plan. There are no such funds available and we all know it.

Some of my colleagues believe that to solve this problem and to fill a part of this gap, the elected officials of our State and City should themselves make the decision to impose undergraduate tuition. As I have pointed out on several occasions, the State legislature has already specifically delegated that power to this Board as did the City of New York in 1975, when it reduced its tax-levy appropriations to the University "in lieu of tuition." I believe the failure of this Board to submit to the appropriate State and City officials an alternative financial plan which realistically recognizes the fiscal circumstances will not only cause this Board to lose whatever credibility it now retains as the guardians and trustees of this institution, but will further tragically jeopardize the opportunity for student access and the quality of our programs.

Mr. Chairman, I do not raise the subject of tuition lightly. I have raised the question before, and always with a heavy heart. But in the absence of massive infusions of State and City funds I, as one member of this Board, believe we must present this alternative to the City and to the State. And if we opt for tuition, I certainly would do everything within my power, Mr. Chairman, to see that additional funds are appropriated by the State to the Tuition Assistance Program so that deserving students are not excluded from our institutions for lack of financial resources.

We must, in any event, amend our budget request to the City and the State to reflect the restructuring actions which we have taken today. Not to do so would be irresponsible on our part.

Mr. Chairman, I move that this Board transmit immediately to the appropriate officials of the State and City government two analyses of the financial implications of our restructuring plan - one which maintains our current tuition policy and one which extends tuition to all students.

I also move, Mr. Chairman, to ask you to appoint an ad hoc committee of this Board and the Chancellor to stand ready to meet this week with City and State officials to negotiate an acceptable funding pattern for the coming year. The time for action is now.
Mr. Jones called attention to the fact that since this was a special meeting, consideration was limited to the items on the agenda. He pointed out that since these items were not on the agenda, the motion was out of order. Ms. Bass, the General Counsel and Vice-Chancellor for Legal Affairs, suggested that the bylaws could be waived. A motion was made and seconded that the bylaws be waived. The motion failed to secure six votes.

Mrs. Quinones asked to go on record as follows:

I would like it to be clearly understood and I would like to go on record as opposing all mergers, all reductions of any college from a senior college to a junior college or community college, and I take strong exception at the way the business tonight was conducted. There are many alternatives, but I will not be specific. I think this plan is not fiscally sound. You have not come up with any plan to meet the gap. I think its impact is unduly harsh on those who can least afford it. I think the Board has done a terrible disservice to the City.

Mrs. Bird presented her views as follows:

Because this Board has elected to specifically eliminate those programs that serve the special needs of the City's minorities and poor, because it has elected to take this action now, knowing that free tuition, the last stronghold of education for the disadvantaged, will be eliminated in the near future, because it has elected to slap the City's Hispanic, Black and poor in the face, I condemn these actions as racist, irrational and irresponsible.

Mr. Jones read a resolution passed at a meeting of the University Student Senate Steering Committee during the dinner recess, which called for a University-wide shutdown in response to the passage of the restructuring resolutions.

Mr. Murphy made the following statement:

I personally have regretted many of the actions that I have supported this evening, and I have done all of these things for one reason. I feel that these actions are necessary to preserve the City University as an institution essential for the present and future needs of this City. When you consider the alternative, I think that the things that we have done tonight are understandable. The alternative is a University out of control because its public trustees have not made every reasonable effort, and perhaps gone above and beyond the call of duty, to keep a difficult situation under control.

This is by no means the last chapter in the saga that has been evolving with respect to the University over the past fifteen months. With a great deal of pain and anxiety we have shown the State and City authorities who are the funding agencies for this University that we have the courage to make the decisions affecting the underlying policies and structure of this University. I would hope that in the days and weeks ahead, the State and City authorities take due notice of what we have done here tonight and that they will see their way to providing the funding necessary to enable this University to get through the next fiscal year and the years beyond that. This has been a very difficult year.

I regret that the Vice-Chairman isn't here now. I hope he will reconsider his resignation and that the Governor will lose that piece of paper (his resignation) for an indefinite period of time. There is still important work to be done.

Upon motions duly made, seconded and carried, the meeting was adjourned at 1:25 a.m.

ETTA G. GRASS
Acting Secretary of the Board
MINUTES OF THE MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK
HELD
APRIL 26, 1976
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET · BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 5:20 P.M.
There were present:

Alfred A. Giardino, Chairman
Armand D'Angelo
Sandra Lopez Bird
Vincent R. FitzPatrick

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
President William M. Birenbaum
President Candido A. de Leon
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
Acting President Gerald W. Lynch
President Robert E. Marshak
President Joseph S. Murphy
President Harold M. Proshansky
Acting President Morton Rosenstock
President Kurt R. Schmeller

Gurston D. Goldin
Harold M. Jacobs
James P. Murphy
Vinia R. Quinones

President Joseph Shenker
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor David Valinsky
Dr. Francis P. Kilcoyne
Deputy Chancellor Seymour C. Hyman
Vice Chancellor Mary P. Bass
Vice Chancellor Timothy S. Healy
Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng
Vice Chancellor Peter S. Spiridon

The absence of Mrs. Hauser was excused.

X. NEW BOARD MEMBER:
The Chairman announced that he had been informed by the Governor's Office that the Governor had named a
replacement for Mr. Franklin Williams. He introduced Dr. Francis P. Kilcoyne as a man extremely well acquainted
with the University, a person of the highest integrity and intellectual accomplishments.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was
taken as noted: (Calendar Nos. A through 9)
A. FRANKLIN H. WILLIAMS - APPRECIATION OF SERVICES:

The resolution was moved and seconded.

At this point the Board heard Ms. Diatra Jones, who, on behalf of the Black Council on Higher Education, asked to go on record as paying tribute to Mr. Williams and read a mailgram which the Black Council on Higher Education had sent to Mr. Williams extolling his commitment and dedication.

The following resolution was adopted unanimously:

WHEREAS, Franklin H. Williams was appointed by Governor Malcolm Wilson as a member and Vice Chairman of the Board of Higher Education and has served in that capacity since January 1, 1974; and

WHEREAS, Our Board has benefitted from Mr. Williams' vast experience in the fields of law, government, education, and urban affairs; and

WHEREAS, As Vice Chairman of the Board of Higher Education he has brought to our work a perception of the role of education for the cultural, social, and economic advancement of individuals and citizens of New York as a whole; now therefore be it

RESOLVED, That the Board of Higher Education expresses its profound appreciation to Mr. Williams for the creativity, intelligence, energy and dedication with which he carried out his duties as a member and Vice Chairman of the Board, and wishes him continuing success in his public and private endeavors.

B. TIMOTHY S. HEALY - APPRECIATION OF SERVICES:

WHEREAS, Dr. Timothy S. Healy became the first Vice-Chancellor for Academic Affairs of the City University on September 16, 1969 and brought to the University a unique blend of erudition, classical scholarship and social activism; and

WHEREAS, His firm belief in the educability of his fellow human beings, combined with uncompromising standards for the academic integrity of the University, made him a chief architect as well as a major builder for the University's pioneering Open Admissions Program; and

WHEREAS, Dr. Healy has announced his intention to leave the City University to accept the post of President of Georgetown University; now therefore be it

RESOLVED, That the Board of Higher Education expresses its regret over Dr. Healy's decision to leave the City University and its deep appreciation for the many contributions he has made to the City University of New York.

C. WILLIAM M. BIRENBAUM - APPRECIATION OF SERVICES:

WHEREAS, William M. Birenbaum became President of Staten Island Community College on September 1, 1968, after having served with distinction at the University of Chicago Wayne State University, the New School for Social Research, Long Island University and the Education Affiliate of the Bedford-Stuyvesant Development and Services Corporation; and
WHEREAS, This broad experience, combined with a clear vision of the potential contributions of higher education to the betterment of urban life, has made him a prominent spokesman for reform of urban higher education and established Staten Island Community College as a widely studied model; and

WHEREAS, President Birenbaum has announced his intention to leave Staten Island Community College to accept the post of President of Antioch College; now therefore be it

RESOLVED, That the Board of Higher Education expresses its regret over President Birenbaum's decision and its deep appreciation for the many contributions to Staten Island Community College and the City University which his creative energy and untiring efforts have made.

**NO. 1. CHANCELLOR'S REPORT:** RESOLVED, That the Chancellor's Report for April 26, 1976 (including Addendum Items) be approved, as amended as follows:

(a) Item CRIV.10.2. (Baruch College): Resolution on Authorization to Enter into Lease withdrawn.

(b) Item D.1. (City College): The total in the Guard Service contract should be $696,442 instead of $773,475, with the amount for tax-levy funds being corrected to $669,992 instead of $747,025.

(c) Items listed in PART E - ERRATA, to be withdrawn or changed; as indicated.

Dr. Goldin asked to be recorded as voting No and submitted the following statement for the record setting forth his reasons:

I regret that I shall vote "No" today on Calendar No. 1 for the reasons presented in a statement I have submitted for the record:

On April 5, 1976 I urgently requested that Chancellor Kibbee submit to the Board of Higher Education his specific recommendations for closing the acknowledged fiscal gap between the projected costs and anticipated funding levels in his restructuring plan for the University.

I stated that it was necessary for the Chancellor to do so in order for the Board of Higher Education adequately to fulfill its responsibilities in approving a restructuring plan that is both fiscally sound and educationally viable.

I further expressed my regret that the Board had failed to receive from the University’s chief academic and executive officer any guidance for closing the acknowledged fiscal gap in the restructuring plan.

On April 16 the Chancellor submitted to the Board of Higher Education a memorandum titled "Alternative Possibilities for Meeting Funding Shortfalls." In my judgment it does not respond to my request for a specific and detailed budgetary plan relating to the realities of the fiscal situation and reflecting the professional judgment of the University’s chief academic and executive officer.

My vote today on Calendar No. 1 is a symbolic act. I intend, in this way, to dissociate myself as a member of the Board of Higher Education from the present administration of City University in whose capability effectively to manage the University I lack confidence.

I shall vote "No" on Calendar No. 1.
NO. 2. BYLAW AMENDMENT RE STUDENT SUSPENSIONS: The resolution was moved and seconded.

At this point the Board heard Mr. Brian A. Kanzaki of the University Student Senate, who called for certain modifications in the bylaw amendment.

Consideration of the item was deferred until later in the evening.

NO. 3. COMMITTEE ON ACADEMIC AFFAIRS: RESOLVED, That the following item be adopted:

A. QUEENS COLLEGE - B.A./M.A. IN POLITICAL SCIENCE:

RESOLVED, That the 4½ Year BA/MA in Political Science, to be offered at Queens College, be approved effective September, 1976, subject to financial ability.

EXPLANATION: Queens College already awards the MA Degree in Political Science. This accelerated program will offer students of exceptional ability an opportunity to begin graduate work in political science more rapidly than is now possible. It will also help to attract gifted students to Queens and enable them to work up to the limits of their potential. The program is modeled after similar programs in other fields at Queens. It will utilize existing courses, faculty and staff and will not incur any additional costs to the college.

NO. 4. COMMITTEE ON FISCAL AFFAIRS AND PLANNING: RESOLVED, That the following items be adopted:

I. FISCAL RESOLUTIONS:

A. BRONX COMMUNITY COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize Bronx Community College to advertise for, and receive, open bids and award a contract to the lowest responsible bidder for furnishing Uniformed Guard Service for the period July 1, 1976 through June 30, 1977 with the option to renew for two (2) additional one year periods at an estimated cost of $461,326 chargeable as follows:

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<tr>
<td>042-6300-403-01-77</td>
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<td>Non-Tax Levy Funds</td>
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<td>Total</td>
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subject to financial ability; and be it further

RESOLVED, That the Budget Director be requested to approve and authorize the expenditure of $461,326.

EXPLANATION: For furnishing uniform guard service for the security of students, staff, faculty; properties and facilities on and off the main campus owned and rented by Bronx Community College.
B. BROOKLYN COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve contract documents and specifications and authorize Brooklyn College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for furnishing Uniformed Guard Service as required for the building and campus areas of Brooklyn College for the period of July 1, 1976 to June 30, 1977 with an option to renew for one (1) additional year, at a total estimated cost of $395,170 subject to financial ability; this expenditure chargeable to Brooklyn College Tax Levy Fund 042-4500-403-01-77; and be it further

RESOLVED, That the Director of the Budget approve and authorize the expenditure amount of $395,170 for the proposed contract.

EXPLANATION: The continuance of proper guard service is essential to the security of the College. The 1975-76 contract was reduced from $594,506 to $395,170 because of budget reductions. The proposed expenditure is considered absolutely minimal for the protection of the college community and the physical plant.

C. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize the Borough of Manhattan Community College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for Uniformed Guard Service, at an estimated cost of $85,933 per year, chargeable to Code 042-6600-403-01-77, Office Services, and/or such other funds as may be available for the period July 1, 1976 to June 30, 1977 with the option to renew the contract for one additional year as specified in the contract documents; and be it further

RESOLVED, That the Director of the Budget approve and authorize the expenditure for the proposed contract.

EXPLANATION: The present Guard Service contract expires on June 30, 1976 and continued service is essential.

D. HUNTER COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve the contract documents and authorize the Business Manager of Hunter College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for furnishing Uniformed Guard Service for Hunter College at an estimated cost of $283,000 chargeable to expense code 042-4400-403-01-77, Office Services, for the period July 1, 1976 to June 30, 1977 with a one year option to renew, subject to financial ability; and be it further

RESOLVED, That the Budget Director be requested to approve said contract documents and specifications with a cost limitation of $283,000.

EXPLANATION: To provide Uniformed Guard Service to safeguard the faculty, staff, students and property of the college.
E. RICHMOND COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve the contract documents and authorize Richmond College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for Uniformed Guard Service as required at all locations of Richmond College, for the period July 1, 1976 through June 30, 1977 with the option to renew for two (2) consecutive years, at an estimated cost of $143,087 chargeable to Code 042-4800-403-01-77; and be it further

RESOLVED, That the Director of the Budget be requested to approve said contract documents at an estimated cost of $143,087 chargeable to Code 042-4800-403-01-77.

EXPLANATION: The continuance of proper guard service is essential for the security of the college. Due to budget cuts, coverage has been drastically reduced and the amount requested herein is considered the absolute minimum necessary and is in line with the 1975-76 actual expenditure.

F. HUNTER COLLEGE - CLEANING AND MAINTENANCE SERVICES:

RESOLVED, That the Board of Higher Education approve the contract documents and authorize the Business Manager of Hunter College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for the “Cleaning and Maintenance of Hunter-Midtown at 560 Lexington Avenue, Manhattan” at an estimated cost of $155,500 chargeable to expense code 042-4400-400-01-77, Contractual Services - General for the period of July 1, 1976 to June 30, 1977 with a one year option to renew at the same terms and conditions; and be it further

RESOLVED, That the Budget Director be requested to approve said contract documents and specifications with a cost limitation of $155,500. (See also Cal. No. 2(b)4 4/20/64)

EXPLANATION: In accordance with the terms of the lease, the college must provide cleaning and maintenance services.

II. CAMPUS PLANNING AND DEVELOPMENT RESOLUTIONS:

A. NEW YORK CITY COMMUNITY COLLEGE - NAMM HALL AND JOHNSON “A” BUILDING:

RESOLVED, That the Board accept final plans, specifications and cost estimates as of February 1976 of $6,908,000 for the alterations to Namm Hall and Namm Hall Air Conditioning and cost estimate of $18,448,609 for the Johnson “A” Building for New York City Community College as prepared by Richard G. Stein and Associates; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforementioned contract documents and estimates of costs.

EXPLANATION: This resolution results in the acceptance of architectural plans and specifications which have been completed. This work was done in accordance with the contract between the New York State Dormitory Authority and the above named architects. The cost of the architectural contracts was provided in earlier Dormitory Authority financial arrangements. This represents the completion of the architects’ obligation, for which appropriate payment should be made. This resolution makes no commitment for any additional expenditures.
On May 27, 1975 (Cal. No. 3,11.5C, Namm Hall Alterations and Namm Hall Air Conditioning) and on June 23, 1975 (Cal. No. 4F, Johnson “A” Building) the Board accepted the Preliminary Plans, Outline Specifications and Preliminary Cost Estimates for the aforesaid work. The Preliminary Cost Estimate as of January 1975 was $6,415,260 for Namm Hall Alterations and Namm Hall Air Conditioning and $17,670,225 for Johnson “A” Building. The final estimate as of February 1976 of $6,908,000 for Namm Hall Alterations and Namm Hall Air Conditioning and $18,448,609 for Johnson “A” Building compares favorably with the preliminary estimates.

The plans have been reviewed and accepted by the College, the University Office of Campus Planning and Development and the Dormitory Authority of the State of New York. It is recommended that the final plans, etc., be accepted. The acceptance by the Board of the design work performed to date by the Architects is a requirement of the firm’s contract with the Authority. The actual construction work will not be contracted unless and until the Board has authorized its bidding and there are funds available for its financing.

B. QUEENS COLLEGE - NEW SCIENCE BUILDING:

RESOLVED, That the Board accept final plans, specifications and cost estimate of $18,788,000 as of February, 1976 for the construction of Queens College New Science Building as prepared by Davis, Brody and Associates, Architects; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforementioned contract documents and estimates of costs.

EXPLANATION: This resolution results in the acceptance of architectural plans and specifications which have been completed. This work was done in accordance with the contract between the New York State Dormitory Authority and the above named architects. The cost of the architectural contracts was provided in earlier Dormitory Authority financial arrangements. This represents the completion of the architects’ obligation, for which appropriate payment should be made. This resolution makes no commitment for any additional expenditures.

The proposed New Science Building is a three-story concrete structure with partial basement. It contains Instructional Laboratories, Research Space and Services, Faculty Offices for the following science disciplines: Biology, Chemistry, Earth Environmental Sciences, Physics, Psychology. This building also contains special facilities such as Computer Science Space and four Lecture Halls with a capacity of 120 seats each, which are intended to be used by the entire College.

The facility will contain 136,360 net square feet of space in a building area of 225,000 gross square feet. (Efficiency ratio of 1:1.64)

The Board approved the preliminary estimate of $18,796,000, Cal. No. 3,111.C, on September 22, 1975. The Architect’s final estimate of $18,788,000 is consistent with the previously approved estimate.

The final plans, specifications and cost estimate have been reviewed by the College, the Office of Campus Planning and Development and the Dormitory Authority of the State of New York. It is recommended that the final plans, etc., be accepted. The acceptance by the Board of the design work performed to date by the Architects is a requirement of the firm’s contract with the Authority. The actual construction work will not be contracted unless and until the Board has authorized its bidding and there are funds available for its financing.

NO. 5. CITY COLLEGE - BIOMEDICAL PROGRAM: RESOLVED, That the program in Biomedical Science at City College leading to a Degree of Bachelor of Science shall be conducted in conformity with the amendment of the Master Plan approved by the Board of Regents on October 24, 1975, subject to the conditions set forth in such approval.

EXPLANATION: On November 27, 1972 (Cal. No. 7A), the Board approved the establishment of a center for Biomedical Education at The City College. The Board of Regents approved the amendment of the Master Plan for City University authorizing the program in Biomedical Science on October 24, 1975 with certain conditions.
NO. 6. BROOKLYN COLLEGE - PERSONNEL ACTION:
The Chairman asked whether Mr. Singer or his attorney wished to say anything, but there was no answer. It was noted that they had been invited to attend the Board meeting of April 19 but had declined.

Upon motions duly made, seconded and carried, the following resolution was adopted:

WHEREAS, Disciplinary charges were served upon tenured Assistant Registrar Richard Singer on February 25, 1976; and

WHEREAS, On March 1, 1976 the Board appointed an impartial committee to hear those charges (Cal. No. 1); and

WHEREAS, On March 22, 1976 a hearing was held on the charges before the impartial committee; and

WHEREAS, On March 29, 1976 the impartial committee determined that the person charged was guilty of the specifications charged as amended at the hearing; and

WHEREAS, such committee recommended that the person charged be dismissed forthwith from the University; and

WHEREAS, an appeal was taken to the Board and the Board has duly considered such appeal at its informal meeting of April 19, 1976, including the brief submitted thereon by the person charged; and

WHEREAS, the Board has considered the charges and specifications, the transcript of the hearing and the exhibits submitted therein, and the determination of the impartial hearing committee and its recommendation; it is hereby

FOUND, that on the basis of the record including copies of relevant official academic transcripts, summaries of discrepancies between such transcripts and departmental records and records in the Brooklyn College Office of Academic Regulations and Adjustments and admissions made under oath by Richard Singer, in evidence, that 1) alterations were made by Richard Singer in the official academic records of Richard Wonder between Fall 1972 and Summer 1975; 2) alterations were made by Richard Singer in the official academic record of Arnold Horn in or about 1974 and 3) alterations were made by Richard Singer in the official academic record of Arthur Hom in or about 1974; and it is hereby

DETERMINED, that Richard Singer is guilty as charged; and it is hereby

RESOLVED, that Richard Singer is hereby removed for cause from the permanent instructional staff as Assistant Registrar effective immediately.

NO. 7. FACULTY RETRENCHMENT GUIDELINES: The resolution was moved and seconded.

The Chairman announced that since the Guidelines issued to the public had inadvertently omitted one page, which was later distributed, the Board planned to hear comments on them at this meeting but would not take action. After considering the comments, the Guidelines would be placed on the agenda of the next formal Board meeting for action without further discussion.
At this point the Board heard the following who spoke in opposition to the Guidelines:

Professor David Valinsky, Chairman, University Faculty Senate
Professor Irwin Polishook, President, Professional Staff Congress
Dean William L. Hamilton, President, Black Council on Higher Education

Mrs. Bird asked to go on record as being seriously concerned about the Guidelines in connection with Affirmative Action. She spoke of the general tenor of the Guidelines and especially about the review procedures.

Upon motions duly made, seconded and carried, the item was tabled for action at the May meeting without further public debate.

**NO. 8. DESIGNATION OF PRESIDENT:** The resolution was moved and seconded.

At this point the Board heard the following who called for the creation of a search committee prior to the designation of a president:

Professor David Valinsky, Chairman, University Faculty Senate
Professor Irwin Polishook, President, Professional Staff Congress
Professor Mohamed Yousef, Chairman, Staten Island Community College Chapter, Professional Staff Congress
Dean Martin A. Kuhn, Staten Island Community College
Professor James Haskins, Staten Island Community College
Dr. Diane Crothers, Staten Island Community College
Professor Daniel Kramer, Chairman, Richmond College Chapter, Professional Staff Congress
Ms. Diatra Jones, Black Council on Higher Education

Mrs. Bird moved to table the resolution and called for the creation of a special search committee to be composed of members of the Board and members of the faculty and student bodies of both institutions. She asked that her action not be construed as being against President Volpe for in her short association with him, he had proven worthy of her trust and admiration. However, she opposed the procedure in this instance which, she felt, was not in keeping with Board policy. She felt there were two similar situations and two different standards were being applied.

The motion was seconded by Mrs. Quinones. The motion was lost.

The following resolution was adopted:

WHEREAS, At its meeting on April 5, 1976 the Board adopted a restructuring plan for the City University; and

WHEREAS, As part of that plan, effective September 1, 1976, Staten Island Community College and Richmond College are to be joined to form a single, federated institution operating distinct junior division programs funded as a community college and senior division programs funded as a senior college under a single administration;

NOW THEREFORE BE IT RESOLVED, That Edmond Volpe, currently president of Richmond College, be designated president of the newly federated institution, effective September 1, 1976, with no change in salary.

Mrs. Bird and Mrs. Quinones asked to be recorded as voting No.
NO. 9. UNIVERSITY REPORT: The Chancellor presented an oral report on honors and awards received by members of the faculty and students of the University:

(a) Guggenheim Fellowships: From among 3,000 applicants 300 Fellowships were awarded, including nine to City University faculty. This placed the University in a tie with UCLA and Yale in the number of awards received, which number is exceeded only by the University of California at Berkeley, Harvard, Stanford and Princeton. Five of the awards went to Queens, placing that institution in a tenth place tie with the University of Chicago, Michigan and the University of Washington.

(b) Regents Scholarships for Study of Dentistry and Medicine: Of 70 scholarships awarded, eight went to students attending CUNY colleges, three at Brooklyn, four at Queens, and one at City college. This placed CUNY in a tie with Harvard, with only Cornell receiving a greater number. Queens College was tied for fourth place with Stony Brook, with only Cornell, Harvard and Columbia having a greater number of scholarship winners.

(c) Rockefeller Humanities Fellowships: Three went to CUNY faculty members, two at City College and one at Richmond.

(d) Lehman Fellowships: Four went to City University undergraduates with five alternates named as well.


(f) Foundation Grants:

(1) The Andrew W. Mellon Foundation recently awarded a grant of $450,000 to the Biomedical Program of City College.

(2) Two Foundation grants totaling $50,000 went to City College for the B.A./J.D. program with the New York Law School.

At this point Cal. No. 2 was considered.

NO. 2. BYLAW AMENDMENT RE STUDENT SUSPENSIONS

Upon motions duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That section 15.5 of the Board of Higher Education Bylaws be amended to read as follows:

Section 15.5 SUSPENSION OR DISMISSAL. The Board reserves full power to dismiss or suspend a student, or suspend a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of any college, school, or unit of the University in the use of its facilities or in the achievement of its purposes as an educational institution.

A president or full dean may in emergency or extraordinary circumstances, temporarily suspend a student, or temporarily suspend the privileges of a student organization or group for cause, pending an early hearing as provided in Bylaw 15.3 to take place within not more than seven (7) school days. Prior to the commencement of a temporary suspension of a student, the college shall give such student oral or written notice of the charges against him/her and, if he/she denies them, the college shall
forthwith give such student an informal oral explanation of the evidence supporting the charges and the student may present informally his/her explanation or theory of the matter. When a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter.

Note: Matter underlined is new.

EXPLANATION: This amendment will conform he bylaw provision for temporary suspensions in emergency or extraordinary circumstances to the requirements of Goss v. Lopez, 42 L. Ed. 2d 725 (1975) decided by the United States Supreme Court.

Provision for subsequent written charges and hearing is made in Bylaw Section 15.3.

Mrs. Bird and Mrs. Quinones asked to be recorded as voting No.

At this point the Chairman introduced Dr. Volpe, the newly elected President of the federated institution on Staten Island.

NO. 10. GENERAL DISCUSSION: (a) Mrs. Bird noted for the record that she had requested that she be designated a member of the presidency search committee for the consolidated Hostos-Bronx Community College and that her request had been denied. Mr. Giardino noted that when Mrs. Bird made the request, he informed her that the committee had previously been designated, before she became a member of the Board, and was composed of three members, Mr. Murphy, Mrs. Quinones and Mr. D'Angelo, and that she was welcome to attend all of the meetings of that committee and to participate. In addition, he referred to the fact that the committee had power only to recommend and that the final action was one within the purview of the entire Board of which she was a member, and her voice and vote would be effective at that time.

(b) Mr. FitzPatrick expressed the congratulations of the Board to the faculty and student award winners who had brought great honor not only upon themselves but upon the University as well.

(c) Mr. Jones announced that the University Student Senate, meeting in plenary session, voted to shut down the University on May 3.

Upon motions duly made, seconded and carried, the meeting was adjourned at 7:10 P.M.

ETTA G. GRASS
Acting Secretary of the Board
MINUTES OF THE MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK
HELD
MAY 24, 1976
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 5:08 P.M.

There were present:

Alfred A. Giardino, Chairman
Armand D'Angelo
Sandra Lopez Bird
Vincent R. FitzPatrick
Gurston D. Goldin

Rita E. Hauser
Harold M. Jacobs
James P. Murphy
Vinia R. Quinones

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
President Milton G. Bassin
President Candido A. de Leon
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
Acting President Gerald Lynch
President Joseph S. Murphy
President Harold M. Proshansky
Acting President Morton Rosenstock
President Kurt R. Schmeller

President Joseph Shenker
President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor David Valinsky
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Timothy S. Healy
Vice-Chancellor Anthony Knerr
Vice-Chancellor J. Joseph Meng
Vice-Chancellor Peter S. Spiridon
Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 13)

**NO. 1. CHANCELLOR’S REPORT:** RESOLVED, That the Chancellor’s Report for May 24, 1976 (including Addendum Items) be approved, as amended as follows:

(a) Item AA.3. (Bylaw waiver-Raymond Porr, Central Office): Delete reappointment for period 7/1/76-6/30/77, and add note for appointment for period 6/1/76-6/30/76: "Appt. subject to receipt of D.M. Certificate."

(b) PART D - ADDENDUM: Add the following items:

D.4. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - PERSONNEL ACTION: RESOLVED, That in the matter of charges against Assistant Professor Charles Sutton at Borough of Manhattan Community College, the Board hereby appoints as an impartial hearing committee Professor Basil Cleare, designated by the College Personnel and Budget Committee, Professor William Forman of Brooklyn College, designated by the University Faculty Senate Executive Committee, and such other tenured full or associate professor, who shall be Chairperson, as shall be selected by the two aforesaid appointees.

EXPLANATION: This appointment of a hearing panel is made pursuant to Section 21.3 of the collective negotiating agreement between the Board and the Professional Staff Congress.

D.5. HUNTER COLLEGE - PERSONNEL ACTION: RESOLVED, That in the matter of charges against Assistant Professor Isadore Zuckerman at Hunter College, the Board hereby appoints as an impartial hearing committee Professor George Nordmeyer designated by the College Personnel and Budget Committee, Professor Jacob Rothenberg of City College, designated by the University Faculty Senate Executive Committee, and Professor T.G. Karis of City College, who shall be Chairperson, selected by the two aforesaid appointees.

EXPLANATION: This appointment of a hearing panel is made pursuant to Section 21.3 of the collective negotiating agreement between the Board and the Professional Staff Congress.

(c) Items listed in PART E - ERRATA to be withdrawn or changed, as indicated.

Dr. Goldin asked to be recorded as voting No.

**NO. 2. COMMITTEE ON ACADEMIC AFFAIRS:** RESOLVED That the following items be adopted:

A. GRADUATE SCHOOL AND UNIVERSITY CENTER - CENTER FOR ENVIRONMENT AND BEHAVIOR STUDIES:

RESOLVED, That the Center for Environment and Behavior Studies be established at the Graduate School and University Center, effective September 1, 1976, subject to the continuing receipt of non-tax levy funds to cover all costs of the Center.

EXPLANATION: For the past nine years, the Environmental Psychology Program at CUNY has been engaged in teaching, research and consultation in problems associated with the behavioral and social impacts of the physical environment. As there is now an increasing interest on the part of public and private agencies in its work and possible applications, a mechanism is needed to attract additional grants and contracts and to formalize the activities of the program.
As a formal entity, the Center will promote and support research, graduate training on applied problems and public education with respect to environmental problems and issues facing the City of New York, the metropolitan region and the country. It will also provide opportunities for University faculty and graduate students to obtain direct experience with research and teaching programs focused on actual problems; offer consulting services to groups outside the University; and establish a clearinghouse for the dissemination of research information.

B. CITY COLLEGE - CENTER FOR ACADEMIC SKILLS:

RESOLVED, That the Center for Academic Skills be established at City College, subject to the continuing receipt of non-tax levy funds to cover the activities of the Center.

EXPLANATION: City College is committed to maintaining its traditional excellence and to continue to assist the students who, even under the new admissions criteria, will enter with basic skills deficiencies.

The Center for Academic Skills will function as a research and resource base for analyzing the educational problems of the under prepared student; for assisting faculty in developing pedagogic techniques for improving the academic skills of these students; and for developing grant proposals related to the above. The activities of the Center will be funded by a $100,000 grant from the International Business Machines Corporation.

NO. 3. COMMITTEE ON FISCAL AFFAIRS: RESOLVED, That the following items be adopted.

I. FISCAL RESOLUTION:

A. RICHMOND COLLEGE - CLEANING AND MAINTENANCE SERVICES:

RESOLVED, That Richmond College be authorized to advertise for, receive and open bids, and award contract to the lowest responsible bidder for Cleaning and Maintenance Service as required for all locations of Richmond College, for the period July 1, 1976 through June 30, 1977, with the option to renew for two (2) consecutive years, at an estimated cost of $373,065 chargeable to code 42-4800-400-01-77; and be it further

RESOLVED, That the Director of the Budget be requested to approve said contract documents at an estimated cost of $373,065 chargeable to code 42-4800-400-01-77.

EXPLANATION: The 1975-76 expenditures are estimated at $291,444. The increase of $81,621 represents an estimated cost escalation caused by inflation, the wage parity granted the women cleaners with the men, and the addition of 79,156 square feet to the Richmond College campus known as 120 Stuyvesant Place, Staten Island, N.Y.

II. CAMPUS PLANNING AND DEVELOPMENT RESOLUTION:

A. CITY COLLEGE - REPLACEMENT OF EXTERIOR WINDOWS IN SHEPARD HALL:

RESOLVED, That the Board of Higher Education approve the contract documents, specifications and expenditure as prepared by the City College Campus Facilities Office and authorize The City College to advertise for, receive and open bids and award contract to the lowest responsible bidder for the replacement of all double hung exterior windows in Shepard Hall as part of Shepard Hall Exterior Restoration, The City College, at an estimated cost of $550,000, chargeable to Capital Project HN 203; and be it further

RESOLVED, That the Budget Director be requested to approve and authorize the expenditure of $550,000 for the proposed contract.
EXPLANATION: It is imperative that the replacement of the windows be done in order to protect the inside environment from outside effects such as noise, dirt, temperature extremes and the weather. The existing original installed windows (1903-7) are our greatest single loss of energy connected budgetary costs in addition to constantly caused water damage to interior building surfaces. Implementation of this requirement has been recommended and is approved by the Administrative Superintendent of Buildings and Grounds and the Dean of Campus Planning.

The documents have been reviewed by the Office of Campus Planning and Development and acceptance by the Board was recommended.

NO. 4. COMMITTEE ON ADMINISTRATIVE AFFAIRS: RESOLVED, That the following actions be approved:

A. BROOKLYN COLLEGE GOVERNANCE PLAN: Item laid over.

B. COLLECTIVE BARGAINING AGREEMENT, INSTRUCTIONAL STAFF:

The resolution was moved and seconded.

At this point the Board heard a representative of the Professional Staff Congress who presented a statement on behalf of Professor Irwin Polishook, President of the Professional Staff Congress, formally notifying the Board of the ratification of the collective bargaining agreement by the union membership by a vote of 2,757 to 1,116, and commending Chancellor Kibbee's contribution to the formulation and negotiation of the agreement.

Dr. Goldin made the following statement:

I cannot vote responsibly on a collective bargaining agreement in the absence of a detailed and specific budgetary plan relating to fiscal realities.

It appears that this agreement will have an adverse financial impact on the overall University budget that now has, even with the imposition of SUNY-level tuition, an anticipated fiscal gap of at least $37 million.

The following resolution was adopted:

RESOLVED, That the collective negotiating agreement between the Board of Higher Education and the Professional Staff Congress/CUNY for the period September 1, 1975 through August 31, 1977 is hereby approved subject to approval of the Emergency Financial Control Board; and it is further

RESOLVED, That a deferral agreement between the Board and the Professional Staff Congress relating thereto is hereby approved, subject to certification by the Emergency Financial Control Board that such deferral agreement represents an acceptable and appropriate contribution toward alleviating the fiscal crisis of the City of New York; and it is further

RESOLVED, That upon due ratification of the collective negotiating agreement and the deferral agreement by the membership of the Professional Staff Congress, said agreement shall be submitted to the Emergency Financial Control Board for approval or certification as the case may be; and it is further

RESOLVED, That upon approval or certification of such agreements by the Emergency Financial Control Board, the Secretary is hereby authorized and directed to execute such agreements and to affix the seal of the Board thereto.
EXPLANATION: The prior collective negotiating agreement between the parties expired August 31, 1975. The resolution approves a successor agreement. Deferral of certain increases provided in such agreement so as to contribute to alleviating the fiscal crisis of the City of New York is required by the New York State Emergency Financial Act for the City of New York, and is provided for in the deferral agreement approved herein. Approval of the agreement and certification of the deferral agreement as complying with conditions imposed by law are required by the Emergency Financial Act.

Dr. Goldin, Mr. Jacobs and Mrs. Quinones abstained.

C. EXCLUDED PERSONNEL:

WHEREAS, On December 15, 1975 (Cal. No. 5) the Board directed the implementation of a payless furlough, or an equivalent payless period, for all employees; and

WHEREAS, A deferral agreement has been negotiated with the collective negotiating representative of the non-excluded instructional staff, which will have the effect of substituting a two week pay deferral prior to July 1, 1976 for a furlough; and

WHEREAS, Persons in titles and functions excluded from the collective negotiating unit are not covered by such agreement; it is hereby

RESOLVED, That persons in excluded functions and titles may defer two weeks salary (14/366 of annual salary) prior to July 1, 1976 in lieu of a furlough, subject to the following conditions:

1. The deferral shall be at such time prior to July 1, 1976 as shall be decided by the Chancellor. For purposes of the preceding sentence, the annual salary rate for 1975-1976 shall be the rate in effect during the payroll period when the deferrals are made. During the period of such salary deferral, each employee shall fulfill the duties of his employment. Deferral of salary as provided in this paragraph shall have no effect on accruals of annual leave time or sick leave time, health insurance or welfare fund benefits.

2. For the purpose of computing retirement allowances, the salary rate during the period of deferral shall be treated as including the amount of deferrals identified in paragraph 1 insofar as permitted by law.

3. Repayment of such deferred amounts shall be made in the amount, at the time and in the manner provided in the deferral agreement covering the non-excluded instructional staff referred to above.

4. Payment of amounts deferred shall be made to the persons whose salaries or portions thereof were deferred irrespective of whether such persons are in the employ of the Board on the date such payment is made. No interest shall be due or paid upon such deferred amounts; and it is further

RESOLVED, That persons in excluded titles and functions who choose such deferral in lieu of furlough shall so advise the President of the College where employed (or the Chancellor in the case of the Central Office) on or before May 28, 1976, on a form to be provided; and it is further

RESOLVED, That persons in excluded titles or functions who do not choose to defer salary in lieu of furlough shall be furloughed for the period May 30 through June 12, 1976.
NO. 5. HONORARY DEGREES: (a) RESOLVED, That the following honorary degree, approved by the Faculty Council of Brooklyn College, be presented at the Brooklyn College commencement exercises on June 8, 1976:

Mr. Sam Levenson, Doctor of Humane Letters

(b) RESOLVED, That the following honorary degrees, approved by the Graduate Council of the Graduate School and University Center, be presented at the Graduate School Commencement exercises on June 10, 1976:

Mr. John Bertram Oakes, Doctor of Letters
Mr. Jack I. Poses, Doctor of Humane Letters
Dr. Sol Spiegelman, Doctor of Science

(c) RESOLVED, That the following honorary degree, approved by the President and the Faculty Senate Executive Committee of City College, be presented at the City College Commencement exercises on June 3, 1976:

Mr. Herbert Bienstock, Doctor of Economics

NOTE: In accordance with established guidelines (BHE 3/23/70, Cal. No. 7) the Council of Presidents approved the above resolutions and the Chancellor concurs with the Council’s action.

NO. 6. SALK SCHOLARSHIPS: RESOLVED, That the Board approve the award of the Jonas E. Salk Scholarships to the following graduates who have been recommended by the Chancellor:

WITH STIPEND
Mark Dunetz, Queens College
Roslyn Feder, Brooklyn College
Martin E. Kessler, Queens College
Rosemarie Newman, Lehman College
Douglas Rosen, Brooklyn College
Irene Rosenberg, Brooklyn College
Karen Schneider, Queens College
Pauline Walks, Hunter College

HONORARY (in order selected)
Ann Danoff, Hunter College
Frederick D. Kaplan, Queens College
Mary Bezkor, Hunter College
Michael Katz, Queens College
Meryl Levey, Lehman College
Elliot Frank, City College
Joseph Gelbfish, Brooklyn College
Harold Katz, Hunter College

EXPLANATION: The Board of Estimate resolution providing the Salk Scholarships adopted originally on May 26, 1955, was amended on February 8, 1968 and January 13, 1972. It provides eight scholarships with stipend, and eight Honorary Salk Scholarships without stipend for undergraduates and graduates of the colleges who have been accepted for admission in September to an American medical school as candidates for the M.D., Ph.D., or D.Sc. The awards are made on recommendation by the appropriate faculty agencies and the president of each college, and allocated upon the determination each year by the Chancellor.

NO. 7. FACULTY RETRENCHMENT GUIDELINES: RESOLVED, That the Emergency Guidelines and Procedures for Retrenchment adopted August 15, 1975 to be effective August 11, 1975 through June 30, 1976 are hereby ratified for the period August 11, 1975 through May 31, 1976 and repealed for the period thereafter; and it is further

RESOLVED, That the Guidelines and Procedures for Retrenchment hereinafter set out are hereby adopted effective June 1, 1976; and it is further

RESOLVED, That all discontinuances of appointments pursuant to such Guidelines and Procedures be reported to the Board in the Chancellor’s Report:
GUIDELINES AND PROCEDURES FOR RETRENCHMENT

These guidelines and procedures for the discontinuance of personnel, while maintaining the educational mission of the University and protecting the rights of affected personnel are to be effective June 1, 1976.

They relate only to discontinuances of appointments in effect. They do not cover or apply to the normal processes for appointment, reappointment or non-reappointment of persons whose services are not discontinued in accordance with these guidelines and procedures.

Three basic components are essential in a retrenchment procedure.

1. Plan of retrenchment.
2. Criteria for determining which individuals must be discontinued.
3. A review process to insure protection of the rights of affected individuals.

A Plan of Retrenchment

The President* of each college shall determine after consultation with appropriate faculty and student representatives what programs or activities are to be cut back or terminated in a written retrenchment plan which shall be distributed to department chairpersons and to non-academic officers of the college responsible for recommending the appointment of persons in the HEO, Business Manager and other non-academic series to the President. In submitting the plan, the President shall indicate with whom he has consulted. The plan shall be amended from time to time as required.

The plan shall set forth the reasons why reduction or termination of academic or non-academic service is required with respect to each department or function. The reasons must be related to financial needs and be directed at the needs of the college and department or function. They may include but need not be limited to insufficient student registration, reassessment of programs and priorities, and redistribution of staff, fiscal or physical resources. A timetable for the accomplishment of retrenchment shall be included in the plan.

The plan shall clearly identify the department, office or function within which discontinuances will be made.

Affirmative Action

The Board of Higher Education (BHE) has evidenced its commitment to the principles of affirmative action in policy statements adopted in December 1970 and November 1971. These statements reflect an awareness of and adherence to the federal laws and regulations which both govern and define affirmative action programs at the colleges of the University.

Although cognizant of the need for reductions in force during this time of fiscal crisis, the BHE nevertheless reaffirms its commitment to these laws and regulations to ensure nondiscrimination in the treatment of affected class persons. Accordingly, the Board stresses the importance of following affirmative action principles in the implementation of these Guidelines, and requires that:

(1) Each president shall consult with his/her affirmative action officer before any proposed retrenchment actions are implemented. The purpose of this consultation is to inform the president of the potential effect of these proposed actions upon the college's work force.

Specifically, each president shall provide to his/her affirmative action officer a list of persons proposed to be discontinued. The officer shall in turn submit to the president a comprehensive, statistical assessment of the college's work force which reflects the retrenchment actions.

*References to the President and to the College shall be deemed references to the Chancellor and the University Staff, respectively, in the case of the Central Office.
(2) Within three weeks of implementing retrenchment decisions, each college president shall submit to the Chancellor an impact statement analyzing the college's new workforce profile.

Specifically, this impact statement shall reflect the workforce inventory of the college, the impact of discontinuances upon women and minorities (by number and percent) within that workforce, and the rate at which each affected class group has been retrenched. This statement shall have appended to it the college's (revised) utilization analysis and, wherever so indicated by the statistical analyses, a set of goals and timetables for promotions and/or new hires by appropriate affirmative action units.

(3) Upon receipt of these college impact statements, the Chancellor shall report to the Board concerning the University's affirmative action workforce profile in light of retrenchment. This University statement shall be supported by the data and statistical analyses presented in the college impact statements. If the Chancellor determines that any retrenchment action is contrary to principles of law relating to affirmative action, he shall advise the president of his decision and of the action the President must take to remedy the defect.

Civil Service Personnel

The discontinuance of the University's non-instructional Civil Service employees is controlled by the Civil Service Commission, whose regulations concerning layoffs are explicitly outlined in the memorandum from the New York City Department of Personnel (Memorandum on file in the Office of the Secretary of the Board). It is sufficient for purposes of this memorandum to note that with regard to such employees, the University as a whole is considered to be a single agency and, therefore, a single retrenchment unit. The criteria and review process are established in Civil Service law and regulations.

Instructional Staff Personnel - General Principles

There may be more than a single variable which precipitates campus retrenchment decisions. A budget reduction per se may force retrenchment, but more likely it will be the need for a campus to reallocate its resources in order to provide the optimal level of service within a given budget that will bring about personnel changes. Financial exigencies notwithstanding, a reduction in the number of instructional staff personnel may be warranted by abolition of programs, insufficient student registration, redistribution of staff, reassessment of programs and priorities or other campus decisions affecting allocation of its fiscal, personnel or physical resources. Retrenchment takes place at the department or program level, and the actual cut back in positions proceeds from program and workload decisions.

The determination of the retrenchment unit is essential to the retrenchment process. Pursuant to the BHE bylaws, the basic unit for retrenchment purposes within the University is the academic department of the college. Where a college has a divisional or program organization, the division or program may be the appropriate unit. For other than academic departments, the appropriate unit may be an administrative department, office, or functional unit. Each college must identify its units of retrenchment for both its instructional and non-instructional staff.

Once the unit or function to be retrenched is identified, and personnel must be separated from service, the following general principles for discontinuance of individual employees should obtain:

In making decisions as to which member or members of a department should be separated from service, individual tenure status assumes primacy according to the State Education Law and BHE bylaws. Within a given department, any staff member with tenure, regardless of other academic considerations, must be retained over a person who does not have tenure. If, however, retrenchment results from the determination to abolish or reduce a particular department, the actual cut back in positions may involve tenured members of the staff. In such instances, a tenured employee may be discontinued while a non-tenured employee in a different department may be retained.
For non-tenured personnel, there is a need to distinguish between persons with equal rights for retrenchment purposes. Employees who may be affected by retrenchment may have received prior notices of appointment or reappointment. These individual appointments are being rescinded or shortened for reasons other than any act of negligence or unprofessional conduct. The committee or persons responsible for deciding between or among employees holding the same or similar positions should be prepared to justify such recommendations or decisions.

Criteria to be Applied

Retrenchment among instructional staff members holding the same or similar positions should take place in the following order within the retrenchment unit. Whenever the length of service of two or more persons is the same, the ordering among them shall rest in the judgment of the President.

1. Adjunct Staff

   a. Employees with initial appointments who have not yet started to work.

   b. Employees scheduled to teach class sections which have been withdrawn, for which full-time employees have been rescheduled, for which there is insufficient registration or for which the determination has been made that the course is not necessary for the fulfillment of any undergraduate degree program.

   c. Employees who additionally have full-time employment outside the University in the inverse order of length of service.

   d. Employees who additionally have full-time employment within the University in the inverse order of length of service.

   e. Other employees who are not CUNY doctoral candidates in the inverse order of length of service.

   f. Employees who are CUNY doctoral candidates in good standing and receiving no other financial support in inverse order of length of service.

The foregoing notwithstanding, adjunct employees teaching courses deemed by the department to be educationally essential so as to merit continuance may be retained over full-time personnel or other adjuncts with greater length of service.

2. Non-tenured and non-certificated Instructional Staff - All titles

Persons employed in titles on the instructional staff not holding tenure or certificates of continuous employment shall be discontinued in inverse order of length of full-time continuous service on the instructional staff, except for special educational reasons. *

3. Full-time Instructional Staff members holding Certificates of Continuous Employment shall be discontinued in accordance with Article 6.9(f) of the bylaws before any employee holding statutory tenure.

4. Tenured Instructional Staff

Tenured members of the instructional staff shall be discontinued after all non-tenured persons, including persons holding Certificates of Continuous Employment, in the department. The provisions of subdivision II of section 6206 of the Education Law, section 6.9 of the bylaws and the Rules and Procedures for Preferred Eligible Lists are applicable to these titles.

*The term “special educational reasons” as used throughout these guidelines means a reason which is non-discriminatory against a person and is related to the needs of the retrenchment unit or college.
Persons in Excluded Titles and Functions

The college should determine discontinuance of persons in excluded titles or functions on the basis of managerial or functional needs without regard to date of initial appointment or length of service. A person discontinued from an excluded title or function who holds tenure or who prior thereto held a position in a tenure-bearing title shall return to the department in which tenure was held, or service toward tenure earned. A tenured person appointed to an excluded title or function in a retrenchment unit other than the department in which he or she holds tenure shall retain such tenure rights during the period in which he or she is serving in such excluded title or tenure position. A non-tenured person appointed to an excluded title or function in a department or unit other than the department in which his service toward tenure was earned shall retain such service credit during the period in which he or she is serving in such excluded title or function.

Implementation

1. The president, in accordance with the Retrenchment Plan and the criteria for discontinuance of appointments set forth above, shall (a) determine the number of positions to be abolished in each retrenchment unit and (b) after such consultation with departmental or faculty committees, or other persons as he or she deems appropriate, identify the persons whose appointments are to be discontinued.

2. If an entire function, office, or department is to be abolished, or if the number of positions to be abolished is exactly equal to the number of non-tenured or non-certificated personnel in the unit, the President shall notify the affected persons of the discontinuance of their appointment without further justification.

3. If paragraph 2 is not applicable, the President shall notify each person whose appointment is to be discontinued of such discontinuance and the justification therefor, which shall be either length of service or a special educational reason. If discontinuance is based on a special educational reason, the special educational reason shall be stated.

4. Notification of discontinuance of appointment shall be by certified mail. Discontinuance of appointment shall be effective no less than 30 days after the date of mailing of notification or such later date as specified in the letter. If the certified letter is returned undelivered, regular mail shall be used, and the notification date determined by the certified letter shall obtain.

5. Persons whose appointments are discontinued shall receive the value of their accumulated annual leave, either in a lump sum or by retention on the payroll after the effective date of discontinuance, as the college shall determine.

Review and Appeals Procedure

1. Upon request, a person who has been discontinued may request a review of the decision within twenty calendar days of the certified mailing of a letter of notification. Such request shall be filed with the Office of the President of the College.

2. A special retrenchment review committee or committees shall be established by the President to consider all retrenchment appeals submitted. Each such committee shall be composed of no less than three members of the Instructional Staff of the college, of which the majority shall be tenured. No member of a department P & B Committee or other person who has formally participated in the recommendation of the discontinuance of an individual to the President shall participate in the consideration of or decision on the appeal of such person.

In the Central Office, the Staff Review Committee shall be the special retrenchment review committee, except that no Vice-Chancellor shall participate in the consideration of or decision on the appeal of a person within the area of his or her jurisdiction.
The committee shall have the duty to review all relevant records and may conduct such investigation as it deems appropriate. It shall not have the authority to substitute the name of a different person for the appellant.

3. On appeal the affected individual has the burden of establishing:

   a. Where the determination was made on the basis of length of service, that the P & B Committee or party making the decision did not correctly compute the length of service in accordance with these guidelines.

   b. Where the determination was made on the basis of special educational reasons, that the reason given was a pretext for action based on constitutionally prohibited grounds.

No other issues may be raised by the appellant or considered by such committee on such review. In considering the appeal, the committee shall be prohibited from considering the need for retrenchment in the University, the College, the department, division or other retrenchment unit.

4. Persons whose appointments have been discontinued pursuant to these guidelines and procedures may request to meet with the committee, present relevant evidence and be represented by counsel or a representative of the certified union if the person is within a collective bargaining unit. In hearing such appeals, the committee may limit the oral presentation to not more than one-half hour.

5. At the request and at the expense of the appellant, a stenographic record of the appeal hearing shall be made.

6. The committee shall make a report and recommendations to the President for transmission to the Chancellor or his designee who shall make the final decision and notify the appellant by certified mail, and the President. The Chancellor’s designee shall not be chosen from the college from which the appellant was discontinued.

General Notes and Comments

1. It is permissible to abolish an annual position while retaining adjunct positions. The allocation of resources is a matter of academic and financial concern. However, the abolition of the position of a tenured or certificated employee and the retention of adjunct personnel should be undertaken for only the most compelling educational reasons.

2. Persons being discontinued may be entitled to a range of benefits. The colleges and the Central Office will provide such information and be prepared to assist discontinued personnel in understanding their rights.

3. There are no priorities for veterans, volunteer firemen or physically handicapped personnel on the Instructional Staff. Such provisions apply to personnel in classified civil service positions only.

4. Retrenchment procedures are not contained in the University’s collective bargaining agreements. Recognizing, however, that affected employees are understandably concerned, union representatives may be permitted to attend any appeals hearing and to assist employees in the processing of appeals if requested by the employee.

5. Persons whose services are discontinued pursuant to these guidelines and procedures cease to be employees of the Board as of the date of discontinuance. Notices of non-reappointment for future periods should not be sent to such persons. Notwithstanding the foregoing, a person discontinued pursuant to these guidelines and procedures may be appointed for a future period pursuant to the normal appointment procedures or pursuant to the Rules and Procedures for Preferred Eligible Lists.
EXPLANATION: The Resolution incorporates certain changes in the procedures for retrenchment, relating to affirmative action, order of retrenchment, implementation, due process procedures and other matters.

Mrs. Bird and Mrs. Quinones asked to be recorded as voting No. Dr. Goldin abstained.

NO. 8. NOTICE OF PROSPECTIVE GUIDELINES FOR THE REVIEW AND ASSESSMENT OF THE CHANCELLOR AND PRESIDENTS OF THE CITY UNIVERSITY OF NEW YORK: Notice was given of consideration of Prospective Guidelines for the Review and Assessment of the Chancellor and Presidents of the City University of New York.

NO. 9. CREDIT HOUR EQUIVALENCIES: The resolution was moved and seconded.

At this point the Board heard Prof. David Valinsky, Chairman of the University Faculty Senate, who spoke in opposition to the resolution.

The following resolution was adopted:

WHEREAS, Credit hour equivalencies ("equated contact hours" for which an instructor is credited with teaching time) now prevailing in the City University of New York encompass teaching an independent study course, regularly scheduled conferences which replace classroom instruction as well as supervision of teacher education field work, cooperative training courses, masters and doctoral thesis work, and courses taught by graduate students, and

WHEREAS, A review of existing guidelines and formulas discloses that there are considerable quantitative discrepancies within each of the above categories among the respective colleges of the City University, and

WHEREAS, The prevailing fiscal crisis in the City University mandates improved efficiency and economies, large and small, wherever possible; now therefore be it

RESOLVED, That the Chancellor is requested to reexamine current practices and to recommend uniform minimum formulas or practices to govern credit hour equivalencies and to report such recommendations to the Board not later than June 16, 1976, taking into account which categories of "release time" or credit hour equivalencies, if any, can be discontinued without impairing the academic quality, and the need to develop and extend equity of workload among all members of the faculty.

Mr. Jacobs abstained.

NO. 10. CONSOLIDATION OF NON-INSTRUCTIONAL RESOURCES: The resolution was moved and seconded.

At this point the Board heard Professor Howard Adelson, of the Department of History of City College, and Prof. L.G. Heller, of the Department of Classical Languages and Hebrew of City College, who presented a plan for further budget retrenchment at City College.
The following resolution was adopted:

WHEREAS, It is essential that every reasonable effort be made to effect economies in the operations of the University and its several units; and

WHEREAS, A committee on the Consolidation of Non-instructional Resources has made recommendations on economies which might be effected in these areas; therefore be it

RESOLVED, That the Chancellor take steps to implement wherever possible by September 1, 1976, cost-saving arrangements for:

1. The University-wide purchase of such standard materials and services from which the University might benefit by bulk purchases.

2. The provision of student services which are common to many students and which can be provided more effectively and efficiently at either central or regional locations or through the use of more efficient equipment.

3. The cataloguing and purchasing of library books; the coordination of purchasing of repository and limited-use books and periodicals.

4. The consolidation of audio-visual production and repair services.

5. The automation of business and financial operations and the more effective and efficient use of the University's capabilities in computer equipment and personnel.

6. The standardization of materials, procedures, printing specifications and University-wide purchasing for college and University publications, and the establishment of quantitative and qualitative standards for the staffing of public and community relations operations.

7. The consolidation of services and technical assistance related to campus planning and the maintenance of campus facilities.

8. The monitoring of and reduction in the consumption of fuel and energy and the use of telephone services.

NO. 11. UNIVERSITY REPORT: - No report.

NO. 12. RESIGNATION OF BOARD MEMBER: Mrs. Bird announced that she was submitting her resolution as a member of the Board to take effect immediately and made the following statement:

When I joined this Board on January of this year, it was evident that I was appointed as a representative member of the Puerto Rican community of this City. My expectation was that in a democratic society, the democratic process should prevail in the functioning of any policy making body. The concept of democracy demands that the rights and needs of minorities and the voice of minority representation be taken into account by the majority, and that compromise solutions be reached which will benefit not only the majority but the entire society. Otherwise the minority representation simply becomes a token whose voice is heard, but who has no impact on the solutions reached.
During my brief tenure as a Board member I have seen:

the erosion and elimination of policies that gave access to the university to thousands of minority students;

the closing of Hostos Community College, the only institution specifically oriented to the needs of New York Hispanics;

the weakening of Medgar Evers College, York College and other units which provided hope to thousands of minority students;

the creation of a two-track system that will perpetuate the deficiencies of New York City's public schools, thus making the university the culmination of a system that through its policies continues to segregate Blacks and Puerto Ricans into "low achievement centers";

the adoption of retention measures that institutionalize "the revolving door" concept, which will, in effect, eliminate in the next few years thousands of minority students; and

the adoption of measures which will decimate minority faculty.

There has been every indication to me, in the last weeks, that these actions will be implemented in the most arbitrary manner without the least regard for affected groups, thus maximizing their impact on these groups. The Board’s plan of action, in summary, seriously curtails educational opportunities for Puerto Ricans and Blacks.

The decisions reached so far demonstrate an absolute lack of sensitivity to the plight of those that are most in need of educational programs. The Board has lacked originality and initiative in seeking viable alternatives. The majority of my fellow Board members have been uncompromising in their positions and I have found little or no room for meaningful dialogue. For this reason my role in this Board has turned purely into a voice of opposition, with little impact on the solutions reached.

Now, in addition, the imposition of tuition, another blow to the underprivileged of this City, appears imminent. The attempts by the majority members of the Board to reduce costs and thus preserve "free tuition" through the elimination of minority oriented university programs, seems doomed to fail. Those of us opposed to the imposition of tuition feel like we are "beating a dead horse," in view of the pressures exerted by the political bodies of the City and the State. The imposition of tuition, after actions taken by this Board on April 5, would deal a death blow to the goals for which the City University was originally established. The heaviest burden will be borne again by the poor and the minorities of this City.

Mr. Giardino expressed his personal regret and that of the Board at her action and commended her dedication and sincerity.
Minutes of Proceedings, May 24, 1976

NO. 13. GENERAL DISCUSSION: Mr. Giardino submitted for the record the following letter received from John Crumedy, President, Local 1597, New York City Custodial Employees, objecting to the contracting out of custodial services at Richmond College: (See Cal. No. 3.I.A.)

May 24, 1976

Mr. Alfred A. Giardino

I am writing to you with respect to the contracting out of Custodial services at Richmond College on Staten Island (No. 3 Fiscal Resolution).

Although, we know that there has never been a Civil Service Custodial Staff at Richmond College, we abhor the letting of contract for cleaning services when a preferred list has been promulgated by the New York City Department of Personnel.

As president of Local 1597, District Council 37, I wish to call this proposal to the Board of Higher Education. Our Local and all of its members have deferred wages as well as increased take home pay, and have been forced to use our annual leave in order that the University save money. And what does the membership receive in return? They are asked to witness the saving of deferred monies from their paychecks being funnelled to an outside Maintenance firm who are qualified competent, and loyal Civil Servants wither on the “Preferred Vine.” On behalf of all of the members of my Local I demand that the Board vote down the issuance of a Maintenance contract for Richmond College and those monies alleged be used to rehire Civil Servants awaiting recall on qualified preferred lists.

I ask that this letter be placed in the minutes of the Board’s proceedings for Monday, May 24, 1976. Thanking you for your attention in this matter. I remain,

Very truly yours,

John Crumedy
President · Local 1597
N.Y.C. Custodial Employees

Upon motions duly made, seconded and carried, the meeting was adjourned at 5:52 P.M.

Etta G. Grass
Acting Secretary of the Board
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK
HELD
JUNE 1, 1976
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 7:16 P.M.

There were present:

Harold M. Jacobs, Chairman
Armand D'Angelo
Loretta A. Conway
Nicholas Figueroa

Gurston D. Goldin
Albert V. Maniscalco
James P. Murphy
Vinia R. Quinones

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
Deputy Chancellor Seymour C. Hyman

Vice-Chancellor J. Joseph Meng

Waiver of Notice of Meeting
of the
Board of Higher Education

We, the undersigned members of the Board of Higher Education, hereby severally waive notice of a special meeting of members thereof to be held on June 1, 1976 at 7:00 P.M. at the Board Office at 535 East 80 Street, Borough of Manhattan, City of New York, to transact such business at such meeting as may lawfully come before said Board.

Dated: New York, New York
June 1, 1976

s/ Harold M. Jacobs
    Harold M. Jacobs

s/ Armand D'Angelo
    Armand D'Angelo

s/ Albert V. Maniscalco
    Albert V. Maniscalco

s/ James P. Murphy
    James P. Murphy

s/ Loretta A. Conway
    Loretta A. Conway

s/ Nicholas Figueroa
    Nicholas Figueroa

s/ Gurston D. Goldin
    Gurston D. Goldin
NO. 1. NEW BOARD MEMBERS: The Chairman welcomed three new members of the Board, the Honorable Loretta A. Conway, the Honorable Nicholas Figueroa, and the Honorable Albert V. Maniscalco, and commended them for accepting these posts at this time of crisis for the University.

NO. 2. WAIVER OF THE BYLAWS: Upon motion duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That Section 1.1c. of the bylaws of the Board with respect to the scheduling of public hearings on higher education matters of wide concern be waived.

Mr. D'Angelo, Miss Conway, Mr. Figueroa, Dr. Goldin, Mr. Jacobs, Mr. Maniscalco and Mr. Murphy voted Yes. Mrs. Quinones voted No and asked to be recorded as voting under protest.

NO. 3. TUITION FEES: A motion was made and seconded to adopt the resolution.

Mr. Jones moved to table the resolution. The motion was seconded by Mrs. Quinones. The Chairman ruled the motion out of order since Mr. Jones, as an ex officio, non-voting member, did not have the right to make motions.

The following resolution was adopted:

WHEREAS, The City University has been closed down because of the non-availability of funds to complete the current fiscal year, constituting an unprecedented emergency, which the Board of Higher Education hereby recognizes and proclaims; and

WHEREAS, Governor Carey, Mayor Beame and State legislators are at the present moment giving intensive consideration to the provisions of a legislative enactment which will have the effect of providing:

(a) Emergency State-City funding to enable the University to meet its immediate overdue fiscal obligations, including salaries and wages, for the balance of the current fiscal year, thus enabling the University to reopen and complete the academic year; and

(b) State funding for fiscal '76-'77 which, plus City funding plus projected revenue from the imposition of tuition charges on matriculated undergraduate students, would provide a critically austere budget for '76-'77; and

(c) For the eligibility of CUNY students for Tuition Assistance under the Tuition Assistance Plan, and providing State funding for this purpose; and

(d) For the future funding of the University on a basis of equity approaching parity with the funding of higher education by the State;

THEREFORE BE IT RESOLVED BY THE BOARD OF HIGHER EDUCATION, That it supports the principal thrusts of the provisions of the proposed enactment as described above, designed to achieve a viable University, and expresses its appreciation to the Governor, to State legislators and to the Mayor for their constructive initiatives and arduous labors in this survival crisis in the life of the University; and be it further

RESOLVED, That the Board of Higher Education accepts the necessity of establishing tuition charges for undergraduates in the light of the above, and will enact those changes in bylaws and other rules and regulations which may be necessary to institute such tuition charges, in a manner and to an extent to provide operating revenues for the University to the total amount described below in this resolution, and at the same time, to minimize the hardship upon those students least able to sustain such tuition charges; and be it further
RESOLVED, That the Chancellor is instructed to:

(a) draw up a schedule of tuition and other student charges at a level comparable with those charged at SUNY, calculated to raise a total of $135.5 million to be included within the operating revenues of the University; and

(b) To submit to the Board for its consideration at its next meeting a detailed schedule of such charges, along with such resolutions of promulgation and implementation as may be required; and

(c) To carry out such consultations as may be possible and desirable with student and faculty representatives on the details of the proposed schedule of tuition charges, and of the proposed changes in rules, regulations, and other arrangements and provisions designed to achieve the purposes and effects described in this resolution, including the purpose of having such tuition charges in place and effect by September, 1976, so that the resultant revenues may be available to meet operating expenditure needs during fiscal 1976-77, and thus be calculated as part of the 1976-77 budget; and it further

RESOLVED, That the Board directs the Chancellor to submit to the Board for its consideration and approval, at the earliest possible date, the details of an amended budget plan, based on the funding to be provided under the terms of the State enactment referred to above, plus the revenue from tuition and other charges referred to above, including his recommendations for such resolutions and actions by the Board as may be necessary to put such a budget into effect.

Mr. D’Angelo, Miss Conway, Mr. Figueroa, Dr. Goldin, Mr. Jacobs, Mr. Maniscalco and Mr. Murphy voted Yes. Mrs. Quinones voted No.

NO. 4. PROPOSED AMENDMENT TO THE BYLAWS: Notice was served of the introduction of a proposed amendment to the bylaws which would repeal Article XVI, which deals with Admissions. This proposed amendment would come up for action at the June 21 meeting of the Board.

Mr. Jones asked that the record show that he had asked the Chancellor whether graduate tuition could be reduced to the SUNY level and the Chancellor had replied that the resolution adopted by the Board assumes the continuation of graduate tuition as it is now.

Upon motions duly made, seconded and carried, the meeting was adjourned at 10:04 P.M.

ETTA G. GRASS
Acting Secretary of the Board
Minutes of Proceedings, June 14, 1976

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

JUNE 14, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 6:35 P.M.

There were present:

Harold M. Jacobs, Chairman
Armand D’Angelo
Loretta A. Conway
Nicholas Figueroa

Gurston D. Goldin
Albert V. Maniscalco
James P. Murphy
Vinia R. Quinones

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Mary P. Bass
Vice-Chancellor Anthony Knerr
Vice-Chancellor J. Joseph Meng

Waiver of Notice of Meeting
of the
Board of Higher Education

We, the undersigned members of the Board of Higher Education, hereby severally waive notice of a special meeting of members thereof to be held on June 14, 1976 at 6:30 P.M. at the Board Office at 535 East 80 Street, Borough of Manhattan, City of New York, to transact such business at such meeting as may lawfully come before said Board.

Dated: New York, New York
June 14, 1976

s/ Harold M. Jacobs  s/ Armand D’Angelo  s/ Albert V. Maniscalco  s/ James P. Murphy
Harold M. Jacobs  Armand D’Angelo  Albert V. Maniscalco  James P. Murphy

s/ Loretta A. Conway  s/ Nicholas Figueroa  s/ Gurston D. Goldin
Loretta A. Conway  Nicholas Figueroa  Gurston D. Goldin
Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 through 3)

**NO. 1. AMENDMENT OF MINUTES:** RESOLVED, That the resolution adopted June 1, 1976 (Cal. No. 4) noticing the repeal of Article XVI of the bylaws for the meeting of June 21, 1976 is hereby amended to provide for the consideration of such repeal at the special meeting of June 14, 1976.

Mrs. Quinones voted No.

**NO. 2. AMENDMENT TO THE BYLAWS AND NEW POLICY ON ADMISSIONS:** RESOLVED, That Article XVI of the bylaws be repealed; and be it further

RESOLVED, That admissions to the educational units of City University shall be upon such terms and conditions as may be determined by the Board, or the faculties in accordance with the bylaws; and be it further

RESOLVED, That a qualified student may be admitted to the Hunter College elementary school or high school without charge for tuition is he/she meets one of the following conditions:

1. He/she is domiciled in New York City and otherwise meets the criteria for admission established by the Board.

2. He/she is the child of United Nations personnel, provided the person through whom he/she derives eligibility continues in residence in the City of New York during the period of his/her attendance. Not more than twenty-five students may be so admitted; and be it further

RESOLVED, That a resolution entitled “Student Residency Requirement” adopted June 23, 1975 (Cal. No. 3) is hereby amended to read as follows:

“RESOLVED, That effective with any semester commencing on or after September 1, 1976, a student shall be considered a resident of the City of New York for purposes of [determining free tuition] resident tuition fee rate eligibility, if he or she has had his or her principal place of abode in the City of New York for a period of at least twelve consecutive months immediately preceding the first day of classes for the semester with respect to which the residency determination is made, and states his or her intention to permanently live and maintain his or her principal place of abode in New York City.”

Note: Matter in brackets to be deleted, matter underlined is new.

EXPLANATION: Article XVI of the bylaws is largely concerned with categories of admission without payment of tuition. The resolution retains some portions of the Article which remain applicable; other portions are included in the tuition fee resolution below.

Mrs. Quinones voted No.

**NO. 3. TUITION FEE SCHEDULES:** WHEREAS, The Board of Higher Education has been forced by the fiscal emergency in the City and State of New York to establish tuition fees for all students of the educational units of City University, effective September 1, 1976, being aware of the burden upon such students which tuition represents, and of the need to minimize its impact on those who can afford it the least, and the Board so resolved on June 1, 1976; and
WHEREAS, The Board has determined to adopt a schedule of tuition fees which is projected to raise $135.5 million in operating revenues for City University; and

WHEREAS, The Board had determined to adopt a City University Tuition Fee Assistance Plan for eligible part-time students; now therefore be it

RESOLVED, That a resolution entitled “Budget Guidelines,” adopted on July 28, 1975 (Cal. No. 6) be amended by repealing paragraph VI A of the section entitled “Implementing Resolution on Fees,” and by repealing that portion of Paragraph I of such section which is entitled “Undergraduate Tuition and Fee Schedule” and inserting in lieu thereof the following Tuition Fee Schedule, effective and to be applicable to any scheduled session commencing on or after September 1, 1976:

UNDERGRADUATE TUITION FEE SCHEDULE

New York City Residents

<table>
<thead>
<tr>
<th>Division</th>
<th>Full-time</th>
<th>Part-time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lower Division</td>
<td>$387.50 per sem.</td>
<td>35 per credit</td>
</tr>
<tr>
<td>Upper Division</td>
<td>$462.50 per sem.</td>
<td>40 per credit</td>
</tr>
</tbody>
</table>

Non-City Residents (incl. Foreign Students)

<table>
<thead>
<tr>
<th>Division</th>
<th>Full-time</th>
<th>Part-time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lower Division</td>
<td>$712.50 per sem.</td>
<td>55 per credit</td>
</tr>
<tr>
<td>Upper Division</td>
<td>$712.50 per sem.</td>
<td>55 per credit</td>
</tr>
</tbody>
</table>

1. A resident student is one who has had his or her principal place of abode in the City of New York for a period of at least twelve consecutive months immediately preceding the first day of classes for the semester with respect to which the residency determination is made, and states his or her intention to permanently live and maintain his or her principal place of abode in New York City.

2. A full-time undergraduate student is one who is enrolled for twelve (12) credits or equivalent, or more. A part-time student is one who is enrolled for less than twelve (12) credits or equivalent.

3. The tuition fee rate to be charged shall be determined by a student’s status as a full or part-time student, and residency. Status as a matriculated or non-matriculated student shall not be taken into account in determining the tuition fee rate.

4. An upper division student is one who has received passing grades in courses representing sixty-one (61) or more credits. A lower division student is one who received passing grades in courses representing fewer than sixty-one (61) credits. Candidates for associate degrees shall be classified as lower division students.
5. The schedule of tuition fees shall apply to all scheduled sessions, regardless of duration, subject to such special tuition fee rates as may be established by the Board.

6. Tuition fees of a New York State resident who has obtained a certificate of residence from a county outside New York City shall be reduced by the amount of the chargeback to be collected from the county of residence. The certificate of residence must have been issued within two months prior to the completion of registration and must be filed with the registrar before completion of registration. A certificate of residence is valid for a period of one year from the date of issuance.

7. A child of a member of the permanent staff of the Board, or a child of a deceased or retired member of such staff who had served for more than five years on an annual salary, or a child of an employee of the City of New York or of a City agency who is required to live outside the City of New York in the performance of his or her official duties shall be charged resident rates.

8. The resident rate shall be applicable to a student of another college or university which grants in exchange resident rates to a student of a college within the City University of New York. Evidence of satisfactory educational qualifications must be presented and the approval of the president of such college within City University is required;

and be it further

RESOLVED, That there is hereby established a City University Tuition Fee Assistance Plan for eligible part-time students applicable to scheduled sessions commencing on or after September 1, 1976.

1. To be eligible for an award, a student must be a New York City resident, matriculated in an undergraduate degree program.

2. To be eligible for an award, a student must be registered for more than three (3) but less than twelve (12) credits or the equivalent for the session. The student must be ineligible for the State Tuition Assistance Plan (TAP).

3. Awards are provided on a per credit basis. The maximum award shall be $35 per credit for lower division and $40 for upper division students, reduced in relation to the applicable family State net taxable balance (NTB) as follows:

<table>
<thead>
<tr>
<th>NTB</th>
<th>Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,000 or less</td>
<td>100%</td>
</tr>
<tr>
<td>2,000 - 10,000</td>
<td>100% less 1% for each $100 of excess over $2,000</td>
</tr>
<tr>
<td>10,001</td>
<td>No award</td>
</tr>
</tbody>
</table>

4. Awards of less than seven dollars ($7) per credit shall be reduced to zero. Awards shall be rounded to the nearest dollar amount;

and be it further

RESOLVED, That the Chancellor shall issue such implementing and interpretive regulations as he deems necessary to administer the City University Tuition Fee Assistance Plan.

Mrs. Quinones voted No.
Mr. D'Angelo asked that the record show that the Board had read and considered the above resolutions very carefully, and that after discussion, the Board had decided to call a special meeting to act on what had been discussed.

Mrs. Quinones wished the record to show further that she objected to these actions being taken at that time in closed session.

Mr. Jones objected to the entire procedure.

Upon motions duly made, seconded and carried, the meeting was adjourned at 6:45 P.M.

ETTA G. GRASS
Acting Secretary of the Board
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD
JUNE 21, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 4:20 P.M.

There were present:

Harold M. Jacobs, Chairman
Loretta A. Conway
Armand D'Angelo
Nicholas Figueroa

Gurston D. Goldin
Albert V. Maniscalco
James P. Murphy
Vinia R. Quinones

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
Deputy Chancellor Seymour C. Hyman

Vice-Chancellor Anthony Knerr
Vice-Chancellor J. Joseph Meng

Waiver of Notice of Meeting
of the
Board of Higher Education

We, the undersigned members of the Board of Higher Education, hereby severally waive notice of a special meeting of members thereof to be held on June 21, 1976 at 4:00 P.M. at the Board Office at 535 East 80 Street, Borough of Manhattan, City of New York, to transact such business at such meeting as may lawfully come before said Board.

Dated: New York, New York
June 21, 1976

s/ Harold M. Jacobs
Harold M. Jacobs

s/ Nicholas Figueroa
Nicholas Figueroa

s/ Armand D'Angelo
Armand D'Angelo

s/ Albert V. Maniscalco
Albert V. Maniscalco

s/ Gurston D. Goldin
Gurston D. Goldin

s/ Vinia R. Quinones
Vinia R. Quinones

s/ Loretta A. Conway
Loretta A. Conway

s/ James P. Murphy
James P. Murphy
Mr. Jacobs called the Board into executive session for the purpose of deliberating on the appointment of Richard Catalano as Secretary of the Board of Higher Education. The search process which has taken place over the past eight months was reviewed, it being pointed out that over 400 resumes had been received, some 120 having been carefully screened and evaluated by the search committee consisting of former Board Chairman Giardino and Board Member Murphy, that some twelve candidates had been interviewed, and that Mr. Catalano had been recommended by the search committee. It was also pointed out that by virtue of the intensive period relating to the tuition and restructuring issues, the Board had not had time until now to consider this appointment and that in the interests of expediting the work of the Board, it was felt that the appointment ought to be made at this time. It was also explicitly understood that the Board as it will be restructured after July 1 would be free to take whatever action with respect to this appointment as it may with all other appointive officials of the University who serve at the pleasure of the Board.

The following resolution was moved by Mr. Murphy, seconded by Dr. Goldin and approved with Mr. Maniscalco and Mr. Figueroa abstaining:

**NO. 1. APPOINTMENT OF SECRETARY OF THE BOARD:** RESOLVED, That Richard Catalano be appointed Higher Education Officer and Assistant University Administrator for the period July 15, 1976 through June 30, 1977 at $30,975 per annum, and designated Secretary of the Board, effective July 15, 1976, with an annual supplement of $5,000 as Assistant University Administrator in addition to his salary as Higher Education Officer, subject to financial ability.

At this point the Board went into Regular Session.

Upon motions duly made, seconded and carried, the following resolution was adopted:

**NO. 2. CITY UNIVERSITY TUITION FEE ASSISTANCE PROGRAM PLAN:** RESOLVED, That the City University Tuition Fee Assistance Program Plan approved by the Board at its meeting of June 14, 1976 be amended to provide that the minimum per credit award of $7 be provided to students with a family State net taxable balance of $15,000 or less.

EXPLANATION: The effect of this amendment will be to provide at least the minimum CAP award to any student with a family State net taxable balance of $15,000 or less. For such students the per credit cost will be reduced to $28 for lower division courses and $33 for upper division courses.

Upon motions duly made, seconded and carried, the meeting was adjourned at 5:40 P.M.

ETTA G. GRASS
Acting Secretary of the Board
MINUTES OF THE MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

JUNE 21, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairman called the meeting to order at 5:50 P.M.

There were present:

Harold M. Jacobs, Chairman
Loretta A. Conway
Armand D'Angelo
Nicholas Figueroa

Gurston D. Goldin
Albert V. Maniscalco
James P. Murphy
Vinia R. Quinones

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
President Milton G. Bassin
President William M. Birenbaum
President Candido A. de Leon
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
Acting President Gerald W. Lynch
President Harold M. Proshansky
Acting President Morton Rosenstock

President Kurt R. Schmeller
President Joseph Shenker
President Herbert M. Sussman
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor David Valinsky
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Julius C.C. Edelstein
Vice-Chancellor Anthony Knerr
Vice-Chancellor J. Joseph Meng
Vice-Chancellor Peter S. Spiridon
A. REPORT OF THE CHAIRMAN AND INTRODUCTION OF NEW BOARD MEMBERS: The Chairman read the following statement into the record:

I am sure everyone here today is gratified, as I am, that the University was able to reopen when it did so that it could fulfill its obligations to its students, the parents of students, faculty administrators, alumni and the City itself. At some of the meetings of the faculty, commencement programs and social gatherings that I have attended in recent days and others that I have heard about, I have been deeply moved by the heightened awareness of the great and noble institution that we have and also by the vigorous determination to build upon the strong resources that we still have and shape a still stronger University to meet the needs of our young people and our City in the years to come.

I am sure you share also my appreciation of our State legislators and the Governor who labored hard and long during our shutdown for a bill that provides immediate emergency funds and also puts us on the road toward a more rational and stable pattern of State support in the future. Instead of proposing that the City University become simply another unit of the State University—as many have feared would come to pass—the bill that emerged recognizes explicitly our unique function and mission and specifies that open access and full opportunity programs will continue.

At the same time, the bill recognizes that higher education is a State responsibility and we have been promised parity of funding with the State University for comparable programs and levels of service as soon as possible. An additional provision calls on New York City to continue its involvement in higher education as it has done for the past 129 years. I believe the will to do so is there among our present elected City officials—despite the City’s traumatic circumstances—and I am sure the citizens of New York City will keep alive this possibility. Like the great City of New York itself, City University is an unsurpassed cultural and economic asset that is of benefit to all the citizens of the Empire State. And we still have the vital nuclei to continue to be among the leading public universities in the world:

- A research and scholarship capacity that ranks us close to the top nationally in terms of prestigious fellowships and grants received by faculty members and students.

- A roster of distinguished faculty members whose names appear on all the primary bibliographies in their respective disciplines.

- A symbiotic cultural and intellectual ambience shared with New York City that is unsurpassed anywhere.

The immediate steps before our present Board of Higher Education—indeed the entire CUNY community and the citizens of New York—is to re-cement the unity of students, faculty and administrators, City officials, the Governor, the Legislature, the Board of Regents and the State Department of Education for the full mission of the City University.

We will be aided in this effort by the recent addition of three very capable members to the Board of Higher Education, and I would like to present them at this time:

Ms. Loretta A. Conway—No newcomer to Higher Education, Ms. Conway has been a member of the administrative board of Fordham University Council. A practicing trial lawyer, she attended the College of New Rochelle and graduated from the Fordham Law School.
Mr. Nicholas Figueroa - A distinguished graduate of The City College, Mr. Figueroa received his law degree from the Brooklyn Law School. A former assistant district attorney for Bronx County and a former U.S. Attorney for Southern District, he is also a member of the Mayor's Committee on the Judiciary.

Mr. Albert V. Maniscalco - A former Borough President of Staten Island for eleven years, former State Assemblyman and City Councilman, Mr. Maniscalco earned his college diploma at night and went on to receive a law degree from St. John's University.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 10)

NO. 1. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for June 21, 1976 (including Addendum Items) be approved, as amended as follows, with salary rates subject to correction due to clerical or administrative error:

(a) Item AA.3. Designation of Department Chairman (Presidential Action)

<table>
<thead>
<tr>
<th>UNIT AND DEPT.</th>
<th>NAME</th>
<th>EFFECTIVE</th>
<th>BYLAW SECTION TO BE WAIVED</th>
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<tbody>
<tr>
<td>staten Island Comm.</td>
<td>Gary Rosenthal</td>
<td>7/1/76 - 6/30/79</td>
<td>Article IX, Sec. 9.1.b.</td>
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</table>

Mr. Rosenthal is not being granted tenure by this action but instead a waiver of the requirements for the post as chairman is being granted.

(b) Item BRI.2.11 Transfer (The City College): Delete transfer of Prof. Leslie Berger from the Central Office.
(c) Item BRI.17.10 (Hostos Community College): Withdraw leave of absence for Leo Schreiber.
(d) Item CRII.1.1. (Central Office): Delete contract authorization for alteration work.
(e) PART D · ADDENDUM: Add the following item:

D.7. Bronx Community College · Personnel Action: RESOLVED, That in the matter of charges against Assistant Professor Aivars Trusis at Bronx Community College, the Board hereby appoints as an impartial hearing committee Professor Robert King, designated by the College Personnel and Budget Committee, Professor Fred Greenbaum of Queensborough Community College, designated by the University Faculty Senate Executive Committee, and such other tenured full or associate professor, who shall be chairperson, as shall be selected by the two aforesaid appointees.

EXPLANATION: This appointment of a hearing panel is made pursuant to Section 21.3 of the collective negotiating agreement between the Board and the Professional Staff Congress.

(f) Items listed in PART E · ERRATA, to be withdrawn or changed, as indicated, and also to delete reference in the ERRATA to S. Glick under Central Office · Addition 4.

EXPLANATION: The Chancellor's Report consists of those resolutions and actions of a non-policy nature which require approval by the Board of Higher Education.
NO. 2. BOARD MEETING DATES FOR 1976-77 ACADEMIC YEAR: RESOLVED, That the following schedule of meeting dates be approved for the academic year 1976-77:

- September 27, 1976
- October 25, 1976
- November 22, 1976
- December 20, 1976 (Third Monday)
- January 24, 1977
- February 28, 1977
- March 28, 1977
- April 25, 1977
- May 18, 1977 (Wednesday - Monday, May 23 is a holiday)
- June 20, 1977 (Third Monday)

and be it further RESOLVED, That the bylaws of the Board be waived to permit the approval of the above schedule.

NO. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the Board of Higher Education for the following meetings be approved as circulated:

- August 15, 1975
- September 22, 1975
- October 27, 1975
- November 24, 1975
- December 15, 1975

Mr. Jones noted that the Board had approved the minutes of the August 15, 1975 meeting, which, in his opinion, was illegal. The General Counsel was asked for her opinion. Her representative asked for time to confer.

The Board continued with its consideration of the agenda.

NO. 4. NEW YORK CITY COMMUNITY COLLEGE - USE OF VOORHEES INCOME: RESOLVED, That the Board of Higher Education authorize the expenditure of a sum, not to exceed $75,000 of income from the Voorhees Endowment Fund, for the purchase of equipment, supplies and related hardware, to establish and implement a computer student registration and records maintenance system.

EXPLANATION: As a result of the 1974-75 and 1975-76 budget cutbacks, additionally compounded by a projected budget cutback for 1976-77, the implementation of this project is required, in order to maintain the ability to maintain student records. The aforementioned budget reductions and the projected budget reduction have and will cause a decrease in experienced personnel with a reverse effective need to maintain up-to-date active records of student progress, so that Board of Higher Education and University policies can be carried out. It is, therefore, necessary to upgrade the present student record system, so that the appropriate compensation can be made for the past and projected loss of experienced personnel. Under the terms of the court order which transferred the assets of the Voorhees Technical Institute to the Board of Higher Education, “income from the Endowment Fund shall be used to support . . . items that will improve the technical and educational programs” of the college.

NO. 5. BARUCH COLLEGE - REPLACEMENT OF ABSORPTION-CHILLER UNIT: RESOLVED, That the Board of Higher Education approve the contract documents as prepared by the Office of Campus Planning and Development and authorize said Office to advertise for, receive and open bids and award contract to the lowest responsible bidder for the replacement of the Absorption-Chiller Unit for Baruch College at an estimated cost of $81,500 chargeable to Capital Project HN-203; and be it further RESOLVED, That the Budget Director be requested to approve said documents and authorize said expenditure for the proposed contract.

EXPLANATION: The contract documents provide for the replacement of the existing defective HVAC Absorption-Chiller Unit. This unit is required to provide proper environmental conditions for half the building, including interior spaces. The machine is approximately forty years old and continuing attempts to repair it are uneconomical. Total failure is anticipated in the near future if the unit is not replaced.
NO. 6. BRONX COMMUNITY COLLEGE - SURRENDER OF PROPERTY: RESOLVED, That the Board of Higher Education surrender jurisdiction of the building and site located at 120 East 184 Street, Bronx, N.Y.; and be it further

RESOLVED, That the Board of Estimate be requested to accept the surrender of the subject property.

EXPLANATION: The subject building, which served as the initial facility for Bronx Community College, is now being used jointly by the College and Community School District No. 10. Bronx Community College has agreed to relocate the programs operating in that building to other University space in the immediate area. This move will permit Community School District No. 10 to relieve a severe overcrowding situation that now exists in School District No. 10.

NO. 7. HUNTER COLLEGE CAMPUS SCHOOLS - BUILDING AND SITE: RESOLVED, That the Board of Higher Education request the Board of Estimate to assign to it jurisdiction of the building and site of Intermediate School 29, Manhattan, for use by the Hunter College Elementary and High Schools.

EXPLANATION: The subject facility has been vacated by the Board of Education and it is our understanding that the Board will surrender it to the Board of Estimate. The building is suitable to house the Hunter College Campus Schools which are now located in leased space.

NO. 8. HOSTOS COMMUNITY COLLEGE: RESOLVED, That a resolution entitled "Bronx Community College and Hostos Community College," adopted April 5, 1976 (Cal. No. 2) is hereby repealed; and be it further

RESOLVED, That Hostos Community College be continued as an educational unit of City University, subject to funding as provided in Chapters 345 and 346 of the Laws of 1976.

EXPLANATION: The funding of Hostos Community College is provided for by Chapters 345 and 346 of the Laws of 1976.

NO. 9. KINGSBOROUGH COMMUNITY COLLEGE - PERSONNEL ACTION: Tabled.

NO. 9A. APPRECIATION OF SERVICES: Upon motions duly made, seconded and carried, the following resolution was adopted:

WHEREAS, The distinguished former Chairman of the Board of Higher Education, Alfred A. Giardino, and three members of the Board, Mrs. Sandra Lopez Bird, Mr. Vincent R. FitzPatrick and Mrs. Rita E. Hauser, resigned from the Board on May 25, 1976, now therefore be it

RESOLVED, That the following individual resolutions be prepared and spread upon the minutes expressing the appreciation of the Board for the dedicated services each rendered:

(a) Alfred A. Giardino - WHEREAS, Alfred A. Giardino served with dedication and distinction as Chairman of the Board of Higher Education from January 25, 1974 until May 25, 1976 and brought to that office a unique blend of idealism, analytical abilities, and a vision of the past, present, and possible future greatness of The City University of New York; now therefore be it

RESOLVED, That the Board of Higher Education expresses its appreciation for the dedicated services of Alfred A. Giardino.
(b) Sandra Lopez Bird - WHEREAS, Sandra Lopez Bird served as a member of the Board of Higher Education from January 26, 1976 to May 25, 1976 and brought to that post unflinching courage as she sought to preserve and improve higher educational opportunities for many New York citizens who depend on the City University as a means of improving their economic, cultural and social mobility; now therefore be it

RESOLVED, That the Board of Higher Education expresses its appreciation for the dedicated services of Sandra Lopez Bird.

(c) Vincent R. FitzPatrick - WHEREAS, Vincent R. FitzPatrick served as a member of the Board of Higher Education from January 25, 1974 to May 25, 1976, and brought to that post and his office of Chairman of the Board’s Committee on Administrative Affairs courage, stamina and standards of excellence that have greatly benefited The City University of New York and the City itself; now therefore be it

RESOLVED, That the Board of Higher Education expresses its appreciation for the dedicated services of Vincent R. FitzPatrick.

(d) Rita E. Hauser - WHEREAS, Rita E. Hauser served with distinction as a member of the Board of Higher Education from January 1974 to May 25, 1976 and brought to that office a devotion to the vision of the potentialities that her career as a distinguished alumna of Hunter College had enabled her to perceive; now therefore be it

RESOLVED, That the Board of Higher Education expresses its appreciation for the dedicated services of Rita E. Hauser.

At this point the Board returned to Calendar No. 3.

**NO. 3. APPROVAL OF MINUTES:** The representative of the General Counsel asked that approval of the minutes of the August 15, 1975 meeting be tabled.

Upon motions duly made, seconded and carried, the resolution adopted under Calendar No. 3 was reconsidered and the following resolution was adopted:

RESOLVED, That the minutes of the August 15, 1975 meeting be tabled; and be it further

RESOLVED, That the minutes of the meetings of September 22, 1975, October 27, 1975, November 24, 1975 and December 15, 1975 be approved, as circulated.

**NO. 10. UNIVERSITY REPORT:** The Chancellor reported that John Jay College will be the recipient of a grant of $1,500,000 from the Federal Government for developmental purposes partly in the areas of criminal justice and relationships between criminal justice and education and partly for strengthening the administration. It is the first public four-year college to receive such an award.

Upon motions duly made, seconded and carried, the meeting was adjourned at 6:05 P.M.

ETTA G. GRASS
Acting Secretary of the Board.
MINUTES OF THE MEETING OF THE BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK
HELD
AUGUST 2, 1976
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET–BOROUGH OF MANHATTAN

At the request of the Board, Mr. Jacobs served as Chairperson Pro-tem and called the meeting to order at 7:15 P.M.

There were present:

Harold M. Jacobs, Chairperson
Walter H. Crowley
Armand D’Angelo
Edith B. Everett
Nicholas Figueroa
Ronald T. Gault
Gurston D. Goldin

Albert V. Maniscalco
Peter Maas
Harriet R. Michel
Jack J. Olivero
Emanuel R. Piore
David Z. Robinson
Patricia C. Stewart

David Valinsky, ex officio
Maynard S. Jones, ex officio

Richard M. Catalano, Secretary of the Board

Chancellor Robert J. Kibbee
President Candido A. de Leon
President Leon M. Goldstein
President John W. Kneller
Acting President Gerald W. Lynch
President Robert E. Marshak
President Joseph S. Murphy
President Kurt R. Schmeller
President Joseph Shenker

President Herbert M. Sussman
President Edmond Volpe
President Clyde J. Wingfield
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Mary P. Bass
Vice-Chancellor Julius C.C. Edelstein
Vice-Chancellor Anthony Knerr
Vice-Chancellor Peter S. Spiridon

The absence of Ms. Loretta A. Conway was excused.
The Chairperson Pro-tem introduced the fourteen members of the Board and called for nominations for the fifteenth member, as provided for in the recently enacted State law.

X. FIFTEENTH MEMBER OF THE BOARD: Dr. Robinson nominated Dr. Emanuel R. Piore as the fifteenth member of the Board. Mr. Jones nominated Mrs. Vinia R. Quinones. A motion was made and seconded that the nominations be closed. Dr. Piore was elected unanimously.

The Chairperson Pro-tem introduced Dr. Piore as a renowned physicist, member of the National Science Board and the National Academy of Science and chairman of the board of the New York City Hall of Science, and welcomed him as a member of the Board.

Mr. Jones asked to be recorded as objecting to the manner in which the election was held.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. A through 14)

A. BYLAW AMENDMENTS: RESOLVED, That the following bylaw amendments presented by Ms. Mary P. Bass, General Counsel and Vice-Chancellor for Legal Affairs, be adopted:

1. RESOLVED, That such portions of Section 5.1 of the bylaws, entitled Amendments to the Bylaws, which provide that no proposed amendment shall be adopted except upon the affirmative vote of seven members of the Board, be waived; and be it further

EXPLANATION: Waiver of the bylaws to permit adoption of amendments reflecting the changed composition of the Board is appropriate at this first meeting.

2. RESOLVED, That such portion of Bylaw Section 5.1 which requires that amendments to the bylaws be proposed at a meeting preceding the meeting at which a vote is taken be waived.

EXPLANATION: Waiver of notice provisions relating to bylaw amendments to permit the adoption of amendments reflecting the changed composition of the Board is appropriate at this first meeting.

3. RESOLVED, That Section 1.3 of the bylaws, entitled Meetings, be amended to read as follows:

Section 1.3 QUORUM OF THE BOARD. [Six] Eight members of the Board shall constitute a quorum.

EXPLANATION: Section 41 of the General Construction Law provides that the majority of the whole number of the membership of a public board constitutes a quorum.

4. RESOLVED, That the first paragraph of Section 5.1 of the bylaws is hereby amended to read as follows:

Section 5.1 AMENDMENTS TO BYLAWS. An amendment to the bylaws may be adopted at any stated or special meeting of the Board succeeding the stated or special meeting at which it was proposed. Copies of the proposed amendment must be mailed to each member of the Board at least ten days before it is voted upon, together with a statement of the name of the introducer and of the meeting at which it is to be acted upon. Copies of the proposed amendments shall be delivered to the collective negotiation representative if required by a contract entered into with such representative. No proposed amendment shall be adopted except upon the affirmative vote of [seven] eight members of the Board.

EXPLANATION: The amendment permits a majority of the whole number of the voting members of the Board to amend the bylaws.
5. RESOLVED, That Section 5.2 of the bylaws be amended to read as follows:

Section 5.2 WAIVER OF THE BYLAWS. Any provision of these bylaws may be waived at any meeting of the Board for some special purpose by the affirmative vote of [six] eight members of the Board.

EXPLANATION: The amendment permits a majority of eight to waive a provision of the bylaws.

6. RESOLVED, That the Board of Higher Education hereby ratifies, approves, and confirms all bylaws, resolutions heretofore adopted and other formal actions heretofore taken by the Board of Higher Education and, until further notice, hereby continues all policies of the Board of Higher Education presently in effect.

EXPLANATION: Chapter 345 of the Laws of 1976 continued the Board of Higher Education, but changed its composition. The resolution assures the continued legal validity of past Board actions.

Mr. Olivero asked to be recorded as abstaining.

7. RESOLVED, That Section 2.2 of the bylaws be amended to read as follows:

Section 2.2 TERM OF OFFICE: a. The term and manner of selection of the members of the Board [and the chairman and vice chairman] shall be as provided for in section [6201] 6202 of the education law.

b. A chairperson and a vice-chairperson shall be elected by ballot from among the voting members of the board to serve for one year, or until their successors are elected. The election for the office of the chairperson and the vice chairperson shall take place at the stated June meeting and their terms shall commence July 1. In the event of a vacancy occurring in the office of chairperson or vice-chairperson, a successor shall be chosen by ballot to serve for the balance of the term. The chairperson and vice-chairperson first elected after July 1, 1976 shall be deemed to be serving for the balance of terms commencing July 1, 1976.

c. The general counsel and the secretary shall serve at the pleasure of the board.

NOTE: Matter underlined is new; matter in brackets to be deleted.

B. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON: Mr. D'Angelo nominated Mr. Jacobs as chairperson of the Board. The nomination was seconded by Dr. Goldin.

Mr. Jones nominated Mr. Maas as chairperson of the Board. Mr. Maas withdrew his name from consideration.

Mr. Jacobs was elected by secret ballot and made the following statement:

Our procedures do not necessarily require an acceptance speech, but I would like to express my appreciation for the confidence my colleagues have expressed in me. I would also like to reaffirm the commitment I made when I became the chairperson of the former Board: that I would do all within my power to preserve and enhance this great University.

The University faces both short- and long-range problems of immense proportions. As you know, the University is currently undergoing an agonizing retrenchment in order to conform to the reduced 1976-77 budget. Under guidelines developed by the Chancellor, the specific cuts are being determined at the college level, but the duty of the Board has been and will continue to be to insure that the retrenchment and budget allocation guidelines are administered fairly and equitably with a priority concern for the academic quality of the colleges.
We are also faced right now with the related problems of diminished morale among members of our faculty and administrative staffs and a lack of confidence in the leadership of our University. During the past year of financial crisis, there were those who criticized both the Board and the Chancellor for what they perceived to be a lack of decisiveness and leadership.

It makes no difference and is not relevant now whether those persons were right or wrong, but it is critical that the Chancellor and the Board, working closely together, re-establish public confidence in the University and its leadership. Vision, courage and determination will be required of us all. I would hope that, as a first step, the Chairperson, the Chancellor and other members of the Board can have a number of candid, informal meetings with the Presidents, representatives of the faculty, other University officers, students, and other members of the University community.

We face longer-range problems of redefining the role, scope, size, program and structure of the University in view of projected New York City and State financial difficulties. Although the findings of the Governor's Temporary Commission on Post-Secondary Education in New York State will be of major importance here, the Board, the Chancellor and the Presidents must exercise close collaboration and initiative in developing long-range plans to help the University meet the educational needs of the City and State of New York.

It will be our continuing role as Board members, with the strong and close collaboration of the Chancellor and the Presidents, to develop educational policy that will preserve the academic excellence of the University and its treasured role of offering higher educational opportunities and access to all those who can benefit from them, regardless of race, creed, color or economic status.

I look forward to working with all of you. We have a large and important job to do.

Let us now proceed with the remainder or our Calendar.

The election of the vice-chairperson was laid over.

**NO. 1. CHANCELLOR'S REPORT:** RESOLVED, That the Chancellor's Report for Summer of 1976 (including Addendum Items) be approved, as amended as follows:

(a) Item BRI.10.11 (Baruch College): Delete transfer of Assoc. Prof. Philip Atkinson.
(b) Items listed in PART E - ERRATA, to be withdrawn or changed as indicated.

**NO. 2. BOARD COMMITTEES:** Tabled.

**NO. 3. BOARD MEETINGS:** For the information of the Board there is reprinted below a schedule of the dates for the formal meetings of the Board for the academic year 1976-77, which was approved by the Board at its meeting of June 21, 1976, Cal. No. 2:

<table>
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<td>September 27, 1976</td>
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<td>October 25, 1976</td>
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<td>November 22, 1976</td>
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<td>May 18, 1977</td>
<td>May 18 is a Wednesday.</td>
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<td>The fourth Monday, May 23, is a holy day.</td>
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<tr>
<td>June 20, 1977</td>
<td>Third Monday</td>
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NO. 4. CENTRAL OFFICE - CONTRACT FOR PURCHASE OF DATA PROCESSING SYSTEMS:

RESOLVED, That the Board of Higher Education approve the specifications and contract documents and authorize the Central Office to advertise for, receive and open bids and award the contract to the lowest responsible bidder for keypunching, keytaping and verification of data processing documents for the Central Office for the period July 1, 1976 to June 30, 1977, with an option to renew contract for one year, in an estimated amount of $95,000, chargeable to Code 042-2400-403-01-77, Office Service; and be it further

RESOLVED, That the Director of the Budget be requested to approve this expenditure.

EXPLANATION: Due to normal and anticipated growth of financial aid and various other CUNY administering management programs, various records for The City University of New York are expected to be keypunched and verified.

Dr. Piore asked to be recorded as Not Voting.

NO. 5. MAINTENANCE OF MATRICULATION FEE FOR MASTER'S DEGREE STUDENTS: The resolution was moved and seconded.

Mr. Jones raised the question of allowing students involved in maintenance of matriculation to participate in student activities. Mr. Steven Kaye, a graduate student, was also heard on this matter. The Chancellor was requested to discuss this matter with the Presidents and student representatives and to report back to the Board.

The following resolution was adopted:

RESOLVED, That effective September 1, 1976, students enrolled in Master's Degree Programs at the senior colleges or at the Graduate School and University Center be charged a fee of $125 for any semester in which they are not enrolled in regular course work but wish to maintain their matriculated status; and be it further

RESOLVED, That students who are enrolled in a Master's Degree Program must maintain matriculated status in the semester in which they obtain their degree.

EXPLANATION: The charge for maintenance of matriculation contained in the first of the foregoing resolutions replaces the scheduled charge stipulated in Resolution 1B, Master's Programs at the Senior Colleges approved by the Board on July 28, 1975 (Cal. Item No. 6) which increased on a sliding scale the charge for maintenance of matriculation from $25 to $250 per semester. It appears that this rate increase was too rapid and has resulted in very high attrition. Reducing the charge to $125 should increase enrollment in this category of student. The resolution also specifically applies the $125 charge to students enrolled in Master's Programs at the Graduate School as well as at the senior colleges.

NO. 6. CHANGE IN DEFINITION OF SECOND AND THIRD LEVELS IN DOCTORAL PROGRAM: The resolution was moved and seconded.

Mr. Jones moved that the schedule of tuition and fees for students be revised to achieve parity of such fees and tuition for graduate students of CUNY with those for graduate students of SUNY. The motion was seconded. The motion was lost.

The following resolution was adopted:

RESOLVED, That the schedule of tuition and fees for students matriculated in doctoral programs at the City University be revised, effective September, 1976, to define Second Level and Third Level as follows:

Second Level - from semester following completion of 30 credits fully earned and evaluated, to completion of required coursework.

Third Level - from semester following completion of required coursework to completion of degree.
EXPLANATION: During the period between the completion of required coursework and Advancement to Candidacy students engage in such activities as completing language requirements, taking the Second Examination, and identifying the topic of dissertation research. These activities are comparable to Third Level activities, and this period should therefore be included in the definition of Third Level instead of Second Level.

NO. 7. TUITION FEE SCHEDULE RE NON-NEW YORK CITY RESIDENTS OF NEW YORK STATE: RESOLVED, That paragraph 6 of the tuition fee schedule adopted by the Board of Higher Education on June 14, 1976, is hereby rescinded and a new paragraph 6 is added thereto which shall read as follows:

SENIOR COLLEGES - Tuition fees of a New York State resident who has obtained a certificate of residence from a county outside New York City shall be reduced by the amount of the chargeback to be collected from the county of residence. The certificate of residence must have been issued within two months prior to the completion of registration and must be filed with the registrar before completion of registration. A certificate of residence is valid for a period of one year from the date of issuance.

The Board hereby elects to charge to each county within New York State outside New York City, which has issued a certificate or certificates of residence, the share of the tuition and fees charged to residents of each such county which it has elected to pay by reason of the attendance of its residents at the senior colleges of the City University.

COMMUNITY COLLEGES - A non-New York City resident of New York State must obtain and file a certificate of residence to be eligible to be admitted to a community college. The certificate of residence must have been issued within two months prior to the completion of registration and must be filed with the registrar before completion of registration. A certificate of residence is valid for a period of one year from the date of issuance.

Such student shall be charged the non-city resident tuition fee of $712.50 per semester full-time and $55 per credit part-time. Upon receipt of the chargeback payment from the student's county of residence, the student shall be entitled to a refund or credit in the amount of the chargeback received but not to exceed $325 per semester for a full-time student and $20 per credit for a part-time student.

The Board hereby elects to charge to each county within New York State outside New York City which has issued a certificate or certificates of residence on the basis of which its residents are attending the community colleges the total allowable chargeback pursuant to Section 6305 of the education law.

The Board hereby determines and approves a charge to each county within New York State outside New York City which has issued a certificate or certificates of residence on the basis of which its residents are attending the community colleges, a capital cost chargeback in the sum of $300 per year per full-time student equivalent.

EXPLANATION: Chapters 345 and 346 of the Laws of 1976 apply the mandatory chargeback provisions in effect at community colleges elsewhere in the State to City University community colleges, and authorize the other provisions of these resolutions. The above resolutions pertaining to community college students ensure that the net tuition charged to New York State residents who reside outside New York City shall be no less than the tuition charged New York City residents.

Differences in the chargeback provisions in the above resolutions reflect differences in the laws governing the senior and community colleges.
NO. 8. KINGSBOROUGH COMMUNITY COLLEGE - PERSONNEL ACTION: WHEREAS, Disciplinary charges were served upon tenured Full Professor Sophia Yaczola on May 27, 1975; and

WHEREAS, On May 27, 1975 the Board appointed an impartial committee to hear those charges (Cal. No. 8a); and

WHEREAS, From June 11, 1975 through January 29, 1976, fourteen hearing sessions were held on the charges, before the impartial committee (a copy of the charges, as amended at the hearing, is on file in the Office of the Secretary of the Board); and

WHEREAS, On May 26, 1976 the impartial committee unanimously sustained the charges of neglect of duty and conduct unbecoming a member of the staff as specified in charges (chronological order by date) C(1)(b), C(1)(c), B(4)(a & b) and C(3)(a), C(2)(a), B(4)(c) and C(3)(b), C(2)(c), B(3)(b) and C(5)(a), B(3)(c) and C(5)(b), C(1)(e) and C(2)(b), C(2)(a), B(3)(d) and C(5)(c, d, and e), and C(4)(a); and

WHEREAS, On May 26, 1976 the impartial committee recommended that the person charged be removed from her position; and

WHEREAS, The Board has considered the charges and specifications, a memorandum of law submitted by counsel for the person charged, post hearing memoranda from both sides submitted therein, and the decision and report of the impartial hearing committee; it is hereby

FOUND, That on the basis of the record, Professor Sophia Yaczola engaged in the conduct as specified in charges (chronological order by date) C(1)(b), C(1)(c), B(4)(a & b) and C(3)(a), C(2)(a), B(4)(c) and C(3)(b), C(2)(c), B(3)(b) and C(5)(a), B(3)(c) and C(5)(b), C(1)(e) and C(2)(b), C(2)(a), B(3)(d) and C(5)(c, d, and e), and C(4)(a); and the Board incorporates herein pages 8-21 of the decision and report of the impartial hearing committee sustaining those charges and citing the evidence in support thereof; and it is hereby

DETERMINED, That Sophia Yaczola is guilty of neglect of duty and conduct unbecoming a member of the staff as charged in specifications (chronological order by date) C(1)(b), C(1)(c), B(4)(a & b) and C(3)(a), C(2)(a), B(4)(c) and C(3)(b), C(2)(c), B(3)(b) and C(5)(a), B(3)(c) and C(5)(b), C(1)(e) and C(2)(b), C(2)(a), B(3)(d) and C(5)(c, d, and e) and C(4)(a); and it is hereby

RESOLVED, That Sophia Yaczola is hereby removed for cause from the permanent instructional staff as Full Professor effective immediately.

NOTE: The hearing record is on file with the Secretary of the Board.

It was noted that Prof. Yaczola's attorney, Mr. Michael Meltzer, was heard by the Board prior to the meeting.

Mr. Crowley asked to be recorded as abstaining.

NO. 9. EDUCATIONAL OPPORTUNITY CENTERS - BOROUGH OF MANHATTAN COMMUNITY COLLEGE AND NEW YORK CITY COMMUNITY COLLEGE: RESOLVED, That the Board of Higher Education authorize one year extensions for 1976-1977, of the contracts with the State University of New York for the operation of two Educational Opportunity Centers, one in Brooklyn, and one in Manhattan.

RESOLVED, That the Presidents of New York City Community College and Borough of Manhattan Community College respectively be authorized to sign the contracts.

EXPLANATION: Since 1966, the Borough of Manhattan Community College and New York City Community College have each operated an Educational Opportunity Center (formerly called Urban Center) pursuant to contract with the State University of New York.
NO. 10. BROOKLYN COLLEGE - HEATING PLANT: RESOLVED, That the Board of Higher Education approve contract documents and specifications and authorize Brooklyn College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for the installation of Domestic and Fire Water Supply Pumps at the Brooklyn College Heating Plant, pursuant to CP-11597 as approved by the Bureau of the Budget on June 20, 1975, at an estimated cost of $132,000 including contingencies, chargeable to Capital Project HN-203, Code 042-0607-12-53.

EXPLANATION: A detailed inspection of the elevated domestic and fire water storage tanks indicates deterioration that, particularly in the case of the domestic water tanks, has advanced to a potentially hazardous condition. Internal tank supports have corroded to the extent that some have actually parted. This has allowed already badly rusted side plates to bulge and some overstrained seams have begun leaking.

Installation of these original tanks flanking the main heating plant flue and built into masonry work some 100 feet above ground level makes major repair or replacement of these tanks excessively costly. The proposed construction will add pumps to provide the needed line pressures, permitting abandonment of the tanks.

NO. 11. BYLAW AMENDMENTS: Notice was served of proposed amendments to Article VI of the bylaws of the Board relating to discontinuance of positions, transfer efforts and preferred eligible lists for tenured members of the instructional staff and lecturers holding certificates of continuous employment.

In accordance with bylaw provisions, the text of the bylaw amendments will be circulated ten days before the next regularly scheduled meeting of the Board.

EXPLANATION: These amendments conform the bylaws to the Education Law, the Guidelines and Procedures for Retrenchment adopted by the Board on May 24, 1976 (Cal. No. 7, Attachment A), and establish procedures for transfer efforts, and the establishment and use of preferred eligible lists.

NO. 12. AMENDMENT OF BOARD ACTION: RESOLVED, That paragraph 2 of the section entitled “Criteria to be Applied” of the “Guidelines and Procedures for Retrenchment” adopted by the Board on May 24, 1976 (Cal. No. 7, Attachment A) is hereby amended to read as follows:

2. Non-tenured and Non-certificated Instructional Staff - All Titles.

Persons employed in titles on the instructional staff not holding tenure or certificates of continuous employment shall be discontinued in inverse order of length of full-time continuous service on the instructional staff, except for special educational reasons.* Continuous service shall be deemed to include periods of continuous service prior to approved leaves of absence without pay, but the periods of leaves of absence without pay shall not be counted.

NOTE: Underlined matter is new.

RESOLVED, That the Board of Higher Education hereby ratifies and approves all actions which have heretofore been taken based upon the policy expressed herein.

EXPLANATION: The resolution amends the Guidelines and Procedures for Retrenchment which had in effect excluded periods prior to approved leaves of absence without pay from computation of continuous service for retrenchment purposes.
NO. 13. BUDGET 1976-77: The resolution was moved and seconded.

At this point the Board heard Mr. Al Greco, Vice-President, and Mr. Robert Krauz, Treasurer, of the Queens College Evening Student Association, who asked that the Schools of General Studies not suffer disproportionately through retrenchment.


Dr. Goldin informed the Board that he would abstain from voting on Cal. No. 13 for the reasons set forth in the following statement which he submitted for the record:

I cannot in good conscience vote tonight on a budgetary proposal which I consider to be deficient in terms of its failure to develop a comprehensive educational policy relating to the nature and mission of the University to serve as the conceptual framework for the formulation of specific budgetary allocations.

A budget is not simply a fiscal document.

It is an instrument of policy.

No educational policy relating to the mission and nature of the University has been submitted by the administration of the University to serve as the conceptual base for a budgetary proposal.

I shall abstain on Calendar No. 13.

The following resolution was adopted:

RESOLVED, That the Board of Higher Education approve the $495.6 million budget of which $470.0 million is for operating costs as specified under the terms of the State legislation of June 1976.

EXPLANATION: The operating budget has been allocated to the colleges on the basis of a differential funding model which takes into account differences in types of institutions, costs of programs, and projected enrollment.

Dr. Goldin asked to be recorded as Not Voting.

NO. 13A. MEDGAR EVER: Upon motions duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That a resolution entitled “Medgar Evers,” adopted April 5, 1976 (Cal. No. 3) is hereby repealed; and be it further

RESOLVED, That Medgar Evers College continue to be so denominated; and be it further

RESOLVED, That, effective September 1, 1976, such College be a community college authorized to offer associate degree programs; and be it further
RESOLVED, That the authorization of such College to offer baccalaureate degree programs be terminated effective July 1, 1978, except that such College be authorized to continue to offer four-year baccalaureate degree programs in nursing, medical sciences (pre-medical), accounting and business, competency based public administration, and competency based teacher education.

EXPLANATION: Chapter 345 of the Laws of 1976 provides that the expenses of the baccalaureate degree programs at Medgar Evers College in the areas named in the resolution be funded as senior college expenses. The expenses of the associate degree programs will be funded as community college expenses.

NO. 14. UNIVERSITY REPORT: The Chancellor introduced the College Presidents present at the meeting and presented the following oral report on matters of Board and University interest:

1. During the past year the Middle States Association of Colleges and Universities has evaluated nine CUNY colleges, namely, Brooklyn, City, Medgar Evers, John Jay, Queens, York, Kingsborough, LaGuardia, and New York City Community College, and all have received excellent reports.

2. The Regents have given the University’s French and Spanish doctoral programs an A1 rating - the highest possible rating.

Upon motions duly made, seconded and carried, the meeting was adjourned at 8:50 p.m.

RICHARD M. CATALANO
Secretary of the Board
Minutes of Proceedings, September 27, 1976

MINUTES OF THE MEETING OF THE BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

SEPTEMBER 27, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairperson called the meeting to order at 5:35 p.m.

There were present:

Harold M. Jacobs, Chairperson
Patricia Carry Stewart, Vice Chairperson

Loretta A. Conway
Walter H. Crowley
Armand D'Angelo
Edith B. Everett
Nicholas Figueroa
Ronald T. Gault

Gurston D. Goldin
Albert V. Maniscalco
Harriet R. Michel
Jack John Olivero
Emanuel R. Piore
David Z. Robinson

David Valinsky, ex officio
Maynard S. Jones, ex officio

Richard M. Catalano, Secretary of the Board

Chancellor Robert J. Kibbee
President Milton G. Bassin
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
President Robert E. Marshak
President Joseph S. Murphy
Acting President Morton Rosenstock
President Joseph Shenker

President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Deputy Chancellor Seymour C. Hyman
Vice Chancellor Mary P. Bass
Acting Vice Chancellor Egon Brenner
Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng

The absence of Mr. Peter Maas was excused.
Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. A through 13)

A. JAMES P. MURPHY - APPRECIATION OF SERVICES: WHEREAS, Mr. James P. Murphy was appointed to the Board of Higher Education by Mayor Abraham D. Beame in January of 1974, after having previously rendered great service to the City University as a member of a Citizens Commission on The Future of the City University of New York, and served with distinction in that post until July 1976; and

WHEREAS, Mr. Murphy brought to his duties as a Board member an unusual dedication and knowledge of the needs of the citizens of New York and the City University, particularly in the areas of finance and management; now therefore be it

RESOLVED, That the Board of Higher Education extends to Mr. Murphy its sincere appreciation for the service and contributions he made as a member of the Board.

B. VINIA R. QUINONES - APPRECIATION OF SERVICES: WHEREAS, Mrs. Vinia R. Quinones was appointed to the Board of Higher Education by Mayor Abraham D. Beame in January of 1974, and served in that post with distinction until July, 1976, during which time she brought to her duties a compassion for the needs of the citizens of New York and a knowledge of their needs, particularly in the field of health services; now therefore be it

RESOLVED, That the Board of Higher Education extends to Mrs. Quinones its sincere appreciation on behalf of the City University and the citizens of New York for the service she rendered as a member of the Board.

NO. 1. CHANCELLOR'S REPORT: The resolution was moved and seconded.

At this point the Board heard the following who spoke on the retrenchment items in the Chancellor’s Report:

Prof. Stefan Baumrin, Executive Committee, University Faculty Senate
Prof. Carol Brandon, First Vice President, Professional Staff Congress

A motion was made and seconded amending the resolution to withdraw from the Chancellor’s Report the names of all people who are being retrenched. The motion was lost.

At this point the Board heard Prof. Matthew Lanna of Borough of Manhattan Community College who spoke on retrenchment of counselors in the Department of Student Life at the College.

A motion was made and seconded that the names of Prof. Ardie DeWalt, Prof. Arlena Marino and Dr. Judith Sage be deleted from Section BRI.15.15 of the Chancellor’s Report. The motion was withdrawn in favor of another motion which was made and seconded withdrawing these same three names and requesting the Chancellor or his representative to review the retrenchment at Borough of Manhattan Community College to ascertain whether or not retrenchment was being used for other than budgetary reasons. The motion was lost.

At this point the Board heard the following who spoke on the designation of Vice Presidents at the federated college on Staten Island:

Prof. Barry Bressler, Member of Faculty Senate, Chairman of Faculty Council, Richmond College
Prof. Sandi Cooper, Secretary of Faculty Council, Richmond College, and member of Executive Board of CUNY Women’s Coalition
In response to questions from the Board, President Volpe indicated that the Vice-Presidential designations in question were for one year only.

At this point the Board heard Prof. K. Hampares of Baruch College, who spoke on the merger of the Department of Romance Languages and the Department of Germanic and Slavic Languages at Baruch College.

A motion was made and seconded that Item A1.10.1, establishing a Department of Modern Languages at Baruch College, be tabled. The motion was lost.

The following resolution was adopted:

RESOLVED, That the Chancellor’s Report for September 27, 1976 (including Addendum Items) be approved, as amended as follows:

(a) Item AA.1: Appointment (Annual Salary Basis):

(1) Change salary of Eleanor Pontes at Lehman College to read $19,030.
(2) Withdraw appointment of Joseph Kiernan as Higher Education Associate at Hunter College.

(b) Items listed in PART E - ERRATA, to be withdrawn or changed, as indicated.

EXPLANATION: The Chancellor’s Report consists of those resolutions and actions of a non-policy nature which require approval by the Board of Higher Education.

NO. 2. ELECTION OF VICE-CHAIRPERSON: Dr. Robinson nominated Mrs. Stewart as Vice-Chairperson of the Board. The nomination was seconded by Mr. D’Angelo.

Mrs. Michel nominated Mr. Gault as Vice-Chairperson of the Board. The nomination was seconded by Mr. Figueroa.

Mrs. Stewart was elected by secret ballot.

NO. 3. COMMITTEE STRUCTURE: The resolution was moved and seconded.

Prof. Irwin Polishook, President of the Professional Staff Congress, submitted a statement for the record, urging the Board to remember the need for informal and continuing contacts between the union and management in the decisions that affect the University community.

The following resolution was adopted:

RESOLVED, That the resolution entitled “Committee Structure,” adopted March 25, 1974 (Cal. No. 6), is hereby repealed; and be it further

RESOLVED, That such portion of Bylaw Section 5.1 which requires that amendments to the Bylaws be proposed at a meeting preceding the meeting at which a vote is taken be waived; and be it further

RESOLVED, That Section 3.1 of the Bylaws dealing with Standing Committees be repealed; and be it further

RESOLVED, That a new Section 3.1 of the Bylaws entitled Standing Committees is hereby adopted to read as follows:
Section 3.1. STANDING COMMITTEES. a. There shall be a committee on academic affairs which shall have as its responsibilities:

1. Academic policies and programs, including review of their educational effectiveness, size, cost and source of funds.
2. Qualifications for the appointment, promotion and tenuring of faculty members.
3. Waivers of bylaws for academic personnel actions.
4. Student admission and allocation policies and procedures.
5. Such other responsibilities as the board may assign.

b. There shall be a committee on central administration which shall have as its responsibilities:

1. Governance of the university and its constituent units.
2. Faculty and staff relations including collective bargaining.
3. Non-academic matters relating to students.
4. Legal matters and bylaw provisions relating to central administration of the university.
5. Waivers of bylaws for non-academic personnel actions.
6. Review and monitor affirmative action plans and guidelines.
7. Such other responsibilities as the board may assign.

c. There shall be a committee on fiscal affairs which shall have as its responsibilities:

1. Fiscal aspects of the operating budget of city university.
2. Policies and procedures relating to the management of tax levy funds and funds received from other sources, such as trusts and gifts, including accounting, auditing, and investment policies and procedures.
4. Such other responsibilities as the board may assign.

d. There shall be a committee on facilities planning and management which shall have as its responsibilities:

1. Review of plans for construction and rental of facilities.
2. Long-term planning of physical facilities and their financing.
3. The capital budget of the city university.
4. Such other responsibilities as the board may assign.

e. There shall be a committee on expanded educational opportunity which shall have as its responsibilities:

1. Monitor and review of the seek program and the college discovery program.
2. Monitor and review of criteria governing admissions to special programs and to the new transition program.
3. Monitor and review of new tuition policies as they affect special program students.
4. Such other responsibilities as the board may assign.

f. The standing committees shall each consist of five members, except that the committee on facilities planning and management shall consist of three members.

g. The chairperson of the board shall name the members and designate the chairpersons of the above five committees. In addition, the chairperson shall appoint one faculty member after consultation with the university faculty senate, and one city university student after consultation with the university student senate to sit with each of the five committees.
h. There shall be a Committee on Long-Range Planning comprised of the Chairperson and Vice-Chairperson of the Board and five members of the Board elected for one-year terms. The election shall take place at the stated June meeting and the terms shall commence July 1. Interim vacancies shall be filled by the Chairperson of the Board. The members first elected after July 1, 1976 shall be deemed to be serving for the balance of terms commencing July 1, 1976. The Chairpersons of the University Faculty and Student Senates, who serve as ex officio non-voting members of the Board, shall exercise these same rights and privileges as ex officio members of the Committee on Long-Range Planning. The Chairperson of the Board shall serve as Chairperson of the Committee and, in his absence, the Vice-Chairperson of the Board shall preside.

The responsibilities of the Committee, in cooperation with the Chancellor, shall be as follows:

1. Foster and oversee the development of substantive long-range planning by the University and each of its constituent colleges within the framework of overall CUNY mission(s), policies, objectives and guidelines, and in relation to present and future needs and resources of New York City and State.

2. Oversee the preparation of the quadrennial Master Plan and all related documents dealing with CUNY’s long-range development.

3. Review and coordinate policy and planning relating to the long-range mission and funding of the City University.

4. Serve as a liaison subcommittee for the Board for studies in the field of postsecondary education by public and private commissions, agencies and institutions, and review, assess for their impact on CUNY, and recommend responses to major proposals that may be developed by such institutions.

5. Identify and assess specific questions and issues in postsecondary education and their relevance to and impact on the University, for consideration by this and other Committees of the Board, and sponsor staff or consultant studies as a basis for recommending policies and strategies to the Board.

6. Review and recommend policies governing the relationships of the City University to the City and State of New York and to other institutions of higher education, both public and private, in the City and State of New York.

7. Such other responsibilities as the Board may assign.

In addition to the above, the Chairperson of the Board, upon authorization of the Board, may convene the Committee on Long-Range Planning as an Executive Committee when necessary to transact such business of the Board as may be required during intervals between the meetings of the Board, except that this Executive Committee cannot grant degrees, make removals from office, amend the bylaws of the Board, or take any action contrary to an express policy of the Board. When acting in such capacity for the Board, the Executive Committee shall keep minutes of its proceedings and the Secretary of the Board shall promptly forward copies thereof to every member of the Board. Action of the Executive Committee shall be final subject to ratification by the Board.

At this point the Board heard Dean William L. Hamilton, President, Black Council on Higher Education, who spoke on the Committee Structure, Calendar No. 3.
NO. 4 APPROVAL OF MINUTES: RESOLVED, That the minutes of the Board of Higher Education for the following meetings be accepted as circulated:

- August 15, 1975 (Special Meeting)
- January 26, 1976
- February 23, 1976
- March 1, 1976 (Special Meeting)
- March 22, 1976
- March 22, 1976 (Special Meeting)
- April 5, 1976 (Special Meeting)
- April 26, 1976
- May 24, 1976
- June 1, 1976 (Special Meeting)
- June 14, 1976 (Special Meeting)
- June 21, 1976 (Special Meeting)
- June 21, 1976

NO. 5. 1976 MASTER PLAN: The resolution was moved and seconded.

Prof. Irwin Polishook, President of the Professional Staff Congress, submitted a statement for the record.

The following resolution was adopted:

WHEREAS, Section 6202 of the Education Law of New York State requires the quadrennial preparation of a Master Plan for The City University of New York; and

WHEREAS, A draft of the 1976 Master Plan has been prepared; and

WHEREAS, Said draft was the subject of a public hearing on September 23, 1976; therefore be it

RESOLVED, That the Board of Higher Education adopt the proposed 1976 Master Plan and transmit it to the Board of Regents of the State of New York as required by Section 6202 of the State Education Law.

A copy is on file in the Office of the Secretary of the Board.

Mr. D'Angelo wished the record to show that the legal requirement for submission of the 1976 Master Plan coincided with the appointment of the new Board of Higher Education. Although this plan has been approved by the Board, the Board has not had a full opportunity to consider in depth the future of the University.

NO. 6. 1977-78 BUDGET REQUEST: The resolution was moved and seconded.

Prof. Irwin Polishook, President of the Professional Staff Congress, submitted a statement for the record.

The following resolution was adopted:

RESOLVED, That the 1977-78 Budget Request be adopted.

EXPLANATION: The Chancellor has recommended to the Board an operating budget in the amount of $492.4 million with an additional $64.8 million of debt service for the City University Construction Fund and $2.8 million for the Hunter Campus Schools. A public hearing on the Chancellor's proposed budget was held on September 23, 1976.

A copy is on file in the Office of the Secretary of the Board.

Mr. D'Angelo wished the record to show that a special committee of the Board over the past several weeks has been meeting with key City, State, and legislative leaders with respect to the funding of the University in 1977-78; these efforts will continue.
NO. 7. THE COLLEGE OF STATEN ISLAND: RESOLVED, That effective September 1, 1976, the federation of Staten Island Community College and Richmond College shall be named The College of Staten Island.

EXPLANATION: By resolution of April 5, 1976 (Cal. No. 1), Staten Island Community College and Richmond College were federated effective September 1, 1976. The resolution names the successor institution.

NO. 8. YORK COLLEGE - REHABILITATION AND REPAIR OF COLLEGE CAMPUS SITE: RESOLVED, That the Board of Higher Education approve the Final Plans, Final Specifications and Final Estimate of cost as prepared by the Office of Campus Planning and Development and authorize said office to advertise for, receive and open bids and award contract to the lowest responsible bidder for Rehabilitation and Repair of College Campus Site - Part I at York College, Jamaica, at an estimated cost of $153,518 chargeable to Capital Project HN-203 and be it further RESOLVED, That the Director of Management and Budget be requested to approve said Final Documents and authorize said expenditure for the proposed contract.

EXPLANATION: The proposed site improvement is to be performed largely in the areas which provide the access link between the college's Main Building and its Science and Temporary Classroom Buildings. The areas which include the recently demapped Beaver Road, Evans Road and a portion of 159th Street are in complete disrepair with broken pavement, retaining walls, fences and curbs, are unlighted and present a hazardous condition to students traversing these areas. In addition the area has been the scene of serious criminal activity.

The proposed work includes the removal of existing debris, grading, new curbs, pavement, etc. and the installation of site lighting.

NO. 9. BRONX COMMUNITY COLLEGE - ROOF REPAIR AND RESTORATION: RESOLVED, That the Board of Higher Education approve the contract documents as prepared by the office of Campus Planning and Development and authorize said office to bid and award the contract to the lowest responsible bidder for the Roof Repair & Restoration of West Hall & Annex, South Hall, Sage Engineering Building & Annex, Carpenter Hall, Havemeyer Lab & Annex, Guggenheim Building, Butler Hall & Stevenson House at Bronx Community College, Bronx, at an estimated cost of $135,000 chargeable to Capital Project HN-206 and be it further RESOLVED, That the Director of Management and Budget be requested to approve said documents and authorize said expenditure for the proposed contract.

EXPLANATION: The proposed Roof Repair & Restoration is to be done at West Hall & Annex, South Hall, Sage Engineering Building & Annex, Carpenter Hall, Havemeyer Lab & Annex, Guggenheim Building, Butler Hall & Stevenson House. The roofing of these buildings is beyond patch repairs and is causing moisture and structural damage in the building structure. This project is necessary to prevent irreparable damage to these facilities.

The proposed work consists mainly of roofing, restoration, masonry pointing and caulking, leader and gutter restoration work.

The estimated cost of $135,000 includes construction contingencies and cost escalation to bid date.

NO. 10. BARUCH COLLEGE - TRANSFER OF PROPERTY: The resolution was moved and seconded.

Stewart Fogel, a Baruch College student, submitted a statement for the record.

The following resolution was adopted:
RESOLVED, That the Board approve the transfer of the City owned building at 135 East 22nd Street, Borough of Manhattan, (the former Family Court Building) containing approximately 80,000 gross square feet, to the Board of Higher Education, for use by Baruch College; and be it further

RESOLVED, That the Department of Real Estate be requested to take appropriate steps to effect the aforementioned transfer; and be it further

RESOLVED, That in order to fund the maintenance and operation of the building Baruch College be requested to terminate, upon expiration or sooner, its occupancy of 166,000 square feet of space rented at three locations under leases which expire over the next five years.

EXPLANATION: The Family Court Building at 135 East 22nd Street is a ten story building located at the northeast corner of 22nd Street and Lexington Avenue and contains approximately 80,000 gross square feet of space. The building abuts the 17 Lexington Avenue main building to the north (270,000 gross square feet) and the Baruch Student Center to the east (23,400 gross square feet). The three buildings are interconnected at the Basement and the 4th Floor Levels, providing a well integrated three unit city owned complex. This plan can be implemented only if Baruch College terminates existing leases and applies a part of the savings in rental and operating funds (currently $1,780,000 per year) to meet repair, maintenance and operating requirements of the Family Court Building. Net costs and savings resulting from implementation of this plan are outlined as follows:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Savings Via Lease Termination</th>
<th>Funds Required Family Court Bldg.</th>
<th>Net Savings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1976 - 77</td>
<td>202,299</td>
<td>202,299 (a)</td>
<td>0</td>
</tr>
<tr>
<td>1977 - 78</td>
<td>332,418</td>
<td>332,418 (b)</td>
<td>0</td>
</tr>
<tr>
<td>1978 - 79</td>
<td>332,418</td>
<td>303,000 (c)</td>
<td>29,418</td>
</tr>
<tr>
<td>1979 - 80</td>
<td>332,418</td>
<td>303,000</td>
<td>29,418</td>
</tr>
<tr>
<td>1980 - 81</td>
<td>1,424,818</td>
<td>303,000</td>
<td>1,121,818</td>
</tr>
<tr>
<td>1981 - 82</td>
<td>1,778,279</td>
<td>303,000</td>
<td>1,475,279</td>
</tr>
</tbody>
</table>

(a) Repairs and preventive maintenance
(b) $29,418 for repairs and preventive maintenance; $303,000 for day to day maintenance and utilities
(c) Day to day maintenance and utilities

NO. 11. BRONX COMMUNITY COLLEGE - SELECTIVE ENERGY PLANT AND SITE UTILITIES:
RESOLVED, That the Board accept preliminary plans, outline specifications and preliminary construction cost estimate of $7,150,000 (as of May 1976) for the Selective Energy Plant and Site Utilities for Bronx Community College, as prepared by Michael Baker Jr. of N.Y. Inc., Engineers; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforesaid preliminary plans, etc. and to authorize the Dormitory Authority to complete final plans, bid documents, etc., for the work.

EXPLANATION: The acceptance by the Board of the design work performed to date by the Architects is an intermediate requirement of the firm's contract with the Authority. The actual construction work (estimated at $7.15 million) will not be contracted unless and until the Board has authorized its bidding and there are funds available for its financing.

Proposed construction at Bronx Community College consists of implementing certain urgent on-Campus rehabilitation work which was recommended in the Campus Master Plan. The work proposed can be described as follows:

A new Selective Energy Plant with related Site Utilities is to be provided in order to satisfy the College's Heating and Cooling requirements and generate half of the Electrical energy required. The plant will be operated in conjunction with the utility company to provide all electrical power needed. The present deteriorated heating plant and site distribution systems are to be replaced by these new facilities.
Minutes of Proceedings, September 27, 1976

Heretofore, on October 28, 1974, the Board approved the selection of Architects and Engineers for various design packages. The preliminary cost estimate of $7,150,000 as of May, 1976 when compared with the comprehensive Plan March, 1976 estimate of $6,638,000 appears reasonable.

The preliminary plans, outline specifications and cost estimate have been reviewed by the College, the Office of Campus Planning and Development and the Dormitory Authority and acceptance by the Board is recommended in order that the Architects may proceed with development of final plans, specifications and cost estimates.

NO. 12. NEW YORK CITY COMMUNITY COLLEGE - USE OF VOORHEES INCOME:
RESOLVED, That the Board of Higher Education authorize the expenditure of a sum, not to exceed $300,000 of income from the Voorhees Endowment Fund, for the purchase of educational supplies and/or equipment, to support the Technical and Industrial educational programs of the New York City Community College during fiscal year 1976-77.

EXPLANATION: As a result of the 1974-75 and the 1975-76 budgetary reductions, additionally compounded by the 1976-77 budgetary reduction, the New York City Community College deems it imperative to supplement the Other Than Personal Service cost for the Technical programs taught at the college. Under the terms of the court order, which transferred the assets of the Voorhees Technical Institute to the Board of Higher Education, “Income from the Endowment Fund, shall be used by the Board of Higher Education to support the Technical and Industrial educational programs in such areas as Library Resources, Educational Equipment, Supplies and Materials, Student Financial Aid, Facilities Renovation and other items that will improve Technical and Educational programs.”

NO. 13. UNIVERSITY REPORT: The Chancellor announced the following honors, awards, and grants to the colleges and members of the faculty:

(a) The award of a number of fellowships from the Guggenheim Foundation, the American Council of Learned Societies, and the Rockefeller Foundation to members of the faculty.

(b) The award of the 1976 Pulitzer Prize for Poetry to Prof. John Ashbery of Brooklyn College.

(c) Grants totaling $1,700,000 to the Biomedical Program and the Coal Research Program of The City College, $750,000 to the Health Professions Institute of Lehman College, $1,780,000 to Hunter College, and $400,000 to Borough of Manhattan Community College to retrain Russian Jewish immigrants.

NO. 14. HOSTOS COMMUNITY COLLEGE - LEAVE OF ABSENCE FOR PRESIDENT AND DESIGNATION OF ACTING PRESIDENT: Upon motions duly made, seconded and carried, the following resolutions were adopted:

(a) RESOLVED, That Candido de Leon be granted a Fellowship leave with pay for the period September 1, 1976 to February 1, 1977, subject to financial ability.

EXPLANATION: President de Leon has requested a Fellowship leave and a leave from his duties as President of Hostos Community College for research and writing purposes.

Dr. Robinson asked to be recorded as abstaining.
(b) RESOLVED, That Dr. Evangelos J. Gizis be designated Acting President of Hostos Community College for the period September 1, 1976 to February 1, 1977, with compensation of $11,000 per annum in addition to his academic salary, subject to financial ability.

EXPLANATION: President de Leon has been granted a leave of absence for the period September 1, 1976 to February 1, 1977. Dr. Gizis, currently the Dean of Faculty, will serve as Acting President until the return of President de Leon.

The Chairman introduced Acting President Gizis.

NO. 15. BYLAW AMENDMENTS: The Chairman announced that at the August 2 meeting of the Board, Cal. No. 11, notice was given of proposed amendments to Article VI of the bylaws of the Board relating to discontinuance of positions, transfer efforts and preferred eligible lists for tenured members of the instructional staff and lecturers holding certificates of continuous employment. Action on these bylaw amendments is being deferred to the October meeting of the Board.

Upon motions duly made, seconded and carried, the meeting was adjourned at 7:55 p.m.

RICHARD M. CATALANO
Secretary of the Board.
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

OCTOBER 25, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairperson called the meeting to order at 4:55 p.m.

There were present:

Harold M. Jacobs, Chairperson
Patricia Carry Stewart, Vice Chairperson

Loretta A. Conway
Walter H. Crowley
Armand D’Angelo
Edith B. Everett

Ronald T. Gault
Gurston D. Goldin
Albert V. Maniscalco
Harriet R. Michel
David Z. Robinson

Professor David Valinsky, ex officio
Mr. Maynard S. Jones, ex officio

Richard M. Catalano, Secretary of the Board

Chancellor Robert J. Kibbee
Vice Chancellor Mary P. Bass

The absence of Mr. Figueroa, Mr. Maas, Mr. Olivero and Dr. Piore was excused.

NO. 1. LONG-RANGE PLANNING COMMITTEE: A slate of eight people was nominated and seconded. The following four members were elected by secret ballot:

Honorable Armand D’Angelo
Honorable Edith B. Everett
Honorable Gurston D. Goldin
Honorable Harriet R. Michel

The election of the fifth member of the Committee was deferred to a special meeting of the Board to be held on November 8, 1976.

Upon motions duly made, seconded and carried, the meeting was adjourned at 5:20 p.m.

RICHARD M. CATALANO
Secretary of the Board
Minutes of the meeting of the Board of Higher Education of the City of New York

Held

October 25, 1976

At the Board Headquarters Building
535 East 80 Street—Borough of Manhattan

The Chairperson called the meeting to order at 5:34 p.m.

There were present:

Harold M. Jacobs, Chairperson
Patricia Carry Stewart, Vice Chairperson

Loretta A. Conway
Walter H. Crowley
Armand D'Angelo
Edith B. Everett
Ronald T. Gault

Gurston D. Goldin
Albert V. Maniscalco
Harriet R. Michel
Jack J. Olivero
David Z. Robinson

David Valinsky, ex officio
Maynard S. Jones, ex officio

Richard M. Catalano, Secretary of the Board

Chancellor Robert J. Kibbee
President Milton G. Bassin
President Edgar D. Draper
Acting President Evangelos J. Gizis
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
Acting President Gerald W. Lynch
Acting President Bernard Mintz
President Harold M. Proshansky
Acting President Morton Rosenstock

President Kurt R. Schmeller
President Joseph Shenker
President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
Deputy Chancellor Seymour C. Hyman
Vice Chancellor Mary P. Bass
Acting Vice Chancellor Egon Brenner
Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng

The absence of Mr. Figueroa, Mr. Maas and Dr. Piore was excused.
Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 7)

**NO. 1. CHANCELLOR'S REPORT:** RESOLVED, That the Chancellor's Report for October 25, 1976 (including Addendum Items) be approved, as amended as follows:

(a) **PART D - ADDENDUM:** Add the following item:

D.12 Hunter College - Personnel Action: RESOLVED, That Joseph Kiernan be appointed Higher Education Associate in the Office of the Vice President for Finance and Facilities from 10/1/76 to 6/30/77 at $21,030 per annum, subject to financial ability; and be it further

RESOLVED, That Section 11.16 B of the bylaws be waived to effectuate this appointment.

(Approved by the HEO Screening Committee and the Office of Faculty & Staff Relations)

(b) Items listed in PART E - ERRATA, to be withdrawn or changed, as indicated.

**NO. 2. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the Board of Higher Education for the following meetings be approved as circulated:

- August 2, 1976
- September 27, 1976

**NO. 3. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:** RESOLVED, That the following items be adopted:

**A. BARUCH COLLEGE - REHABILITATION OF WINDOWS:**

RESOLVED, That the Board of Higher Education approve the preliminary documents as prepared by the Office of Facilities Planning and Management and authorize said Office of Facilities Planning and Management to proceed with preparation of the final contract documents for the Rehabilitation of Windows at the Baruch College Building located at 17 Lexington Avenue, Manhattan at an estimated cost of $350,000, chargeable to Capital Project HN-203; and be it further

RESOLVED, That the Director of Management and Budget be requested to approve said documents and authorize said expenditure for the proposed contract.

**EXPLANATION:** The main building, built around 1939, has steel projected sashes which are rusted and leaking. The oversized windows are causing excessive heat gains or losses. Most window panes are inaccessible to service and attempts to repair them have resulted in personnel injuries.

This project provides for:

(a) Replacing existing projected sash with new aluminum double hung windows on the elevations facing Lexington Avenue and 23rd Street (4th through 17th floors).

(b) Replacing existing windows on the middle portion of the South facade (ground through 17th floors).

(c) Rehabilitating all other windows.

To comply with conservation of energy requirements, the new windows will be reduced in area by one third.

The estimate of $350,000 includes construction contingencies and cost escalation to bid date.
B. THE CITY COLLEGE - SUPPLEMENTAL AGREEMENT K (CITY UNIVERSITY ISSUE):

RESOLVED, That the form and substance of proposed Supplemental Agreement K, dated as of September 21, 1976, which bears a title page which reads: DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND CITY UNIVERSITY CONSTRUCTION FUND AND BOARD OF HIGHER EDUCATION IN THE CITY OF NEW YORK - SUPPLEMENTAL AGREEMENT K DATED AS OF SEPTEMBER 21, 1976 (CITY UNIVERSITY ISSUE) is hereby approved; the Chairman of the Board of Higher Education is hereby authorized and directed to execute such Supplemental Agreement K and to cause the seal of such Board to be affixed thereto; and the Secretary of the Board of Higher Education is hereby authorized and directed to affix his signature thereto in attestation of such seal; and be it further

RESOLVED, That notwithstanding any other provision of this resolution, prior to the execution of such Supplemental Agreement K, changes, insertions and omissions may be made thereto as may be approved by the Chairman of the Board of Higher Education and the execution by said Chairman of such Supplemental Agreement K containing such changes, insertions, and the attestation thereto by the Secretary, shall be conclusive evidence of such approval.

EXPLANATION: This agreement will provide for an increase in the authorized project cost for the City College Leonard Davis Center for the Performing Arts from $6,750,000 to $7,110,000 and a compensating $360,000 decrease in the authorized cost for the City College North Academic Complex. The increase is necessary to provide an adequate budget for the completion of the now suspended Davis Center construction. The State Division of the Budget has given its required approval for this increase.

NO. 4. COMMITTEE ON CENTRAL ADMINISTRATION: RESOLVED, That the following items be adopted:

A. YORK COLLEGE - CHARTER OF GOVERNANCE:

RESOLVED, That the Charter of Governance of York College be approved.

A copy of the Charter is on file in the Office of the Secretary of the Board.

B. MEDGAR EVERS COLLEGE - CHARTER OF GOVERNANCE:

RESOLVED, That the Charter of Governance of Medgar Evers College be approved.

A copy of the Charter is on file in the Office of the Secretary of the Board.

C. BYLAW AMENDMENTS:

RESOLVED, That section 6.9 of the bylaws is hereby amended, to read as follows:

Section 6.9 DISCONTINUANCE OF TENURED POSITIONS. a. Where a position in a department is to be abolished or discontinued, a person in any title on the permanent instructional staff who does not have tenure in that department shall be dismissed before a person in a title on the permanent instructional staff who does have tenure in that department.

b. A position held by a person upon the permanent instructional staff may be abolished or discontinued by the board for reasons which are not discriminatory against a particular person or persons. In the event that a position in a department is to be abolished or discontinued, such position shall be that of the person last appointed to such department, save that, for special educational reasons which are not
discriminatory against a particular person or persons, the board may continue the services of a tenured person or persons whose position or positions would otherwise be abolished or discontinued, and abolish or discontinue the position or positions of the person or persons next most recently [granted tenure in] appointed to such department.

[c. If the board abolishes or discontinues the position of a person upon whom tenure is conferred and can find no position in the senior college or community college, as the case may be, in which such person has been serving which can be efficiently and capably filled by such person, then his/her name shall be placed and shall remain for three years upon a preferred eligible list of candidates for reappointment to fill a vacancy, or newly-created position may thereafter occur which can be efficiently and capably filled by such person.

d. There shall be a separate preferred eligible list for each title in each department in each college. Each such list shall be applicable only to the title, department and college for which it was created. Reappointments shall be made from such preferred eligible lists so that the person or persons whose position or positions were most recently discontinued shall be the first person or persons reappointed, provided that for special educational reasons which are not discriminatory against a particular person or persons, the person or persons whose position or positions were next most recently discontinued may be the first person or persons reappointed. Any person reappointed from a preferred eligible list shall be reappointed at a salary not less than that which he/she was receiving when his/her position was abolished or discontinued.

e. A member of the permanent instructional staff whose name is placed on a preferred eligible list shall be deemed to have a leave of absence without pay or increment credit during the time he/she is on such eligible list.

f. A position held by a person who has received an administrative certificate of continuous employment may be abolished or discontinued by the board for reasons which are not discriminatory against a particular person or persons. In the event that the position of a lecturer (full-time) in a department is to be abolished or discontinued, the person who last received his/her administrative certificate of continuous employment shall be the person whose position is first to be abolished, except that for special educational reasons which are not discriminatory against a particular person or persons, the position of a person next most junior may be abolished or discontinued.

If the position of a lecturer (full-time) is abolished or discontinued, the names of the persons whose positions were so abolished shall be placed and shall remain for three years on a departmental preferential eligible list to fill a vacancy that may thereafter occur in that department which can be capably and efficiently filled by said person.

Reappointments shall be made from such preferred eligible list so that the person or persons who first received the administrative certificate of continuous employment shall be the first to be re-hired, except that for special educational reasons that are not discriminatory against a person or persons, this rule may be waived by the board.

No person reappointed from a preferred eligible list shall be reappointed at a salary which is less than he/she was receiving when his position was abolished or discontinued.

g. Where a position held by a person in an adjunct title is abolished or discontinued because of the cancellation of a class due to financial inability, insufficient enrollment or changes in curriculum, the person whose position has been abolished or discontinued shall be granted preferential re-hiring rights within the department for identical or remedial courses which he/she has taught.

All individuals affected by such a reduction in force shall be placed on a departmental preferential re-hiring list established by date of initial employment.

The individual's name on a departmental preferential re-hiring list shall be deleted after three years.

NOTE: Matter underlined is new, matter in brackets to be deleted.
and be it further

RESOLVED, That five new sections be added to the bylaws, to be sections 6.10, 6.11, 6.12, 6.13 and 6.14 to read as follows:

6.10 TRANSFER EFFORTS (TENURE). a. When the position of a tenured member of the instructional staff is abolished or discontinued, the college shall attempt to find a vacant position in the college which can be efficiently and capably filled by such person. No priority shall obtain among persons whose positions have been abolished or discontinued for purposes of transfer efforts. A vacant position is a full-time position which the college has the financial ability to fill and intends to fill, and with respect to which there is no applicable preferred eligible list, or from which no person is on a leave of absence with or without pay.

b. If such position is found, the person who is offered and accepts such position shall have tenure therein, provided such position is on the permanent instructional staff. Tenure or seniority in the new department shall date from the effective date of appointment to the new position. Such person shall be advised of the title and salary of the new position.

c. The acceptance of a position pursuant to this section shall not preclude the placement of such person's name on the preferred eligible list for his/her original retrenchment unit as provided in section 6.11.

6.11 PREFERRED ELIGIBLE LISTS (TENURE) 1. Establishment of Preferred Eligible Lists. a. There shall be a separate preferred eligible list of discontinued tenured persons for each retrenchment unit, and each list shall be applicable to the retrenchment unit for which it was created. The retrenchment unit is the academic department of the college, or the division or program where the college is so organized, or, for other than academic departments, the administrative department, office, or functional unit, from which such person was discontinued.

b. When the position of a tenured member of the instructional staff is abolished or discontinued, the name of such person shall be placed forthwith on the preferred eligible list for the retrenchment unit in which he or she last served. The names on each such list shall be ranked in order of the effective date of appointment to the department or other retrenchment unit (normally September 1). If two or more persons were appointed effective the same date, the person with the longest full-time continuous service on the instructional staff shall be listed first, then the person with the longest combination of full- and part-time continuous service on the instructional staff, and finally, in random order. For purposes of this paragraph, continuous service shall include continuous service prior to an approved leave of absence without pay.

c. The head of each retrenchment unit shall forward to the president the names of all persons to be placed on the preferred eligible list(s). The president shall designate a person to be responsible for, coordinate, and update all preferred eligible lists.

d. A person who elects not to have his or her name placed on a preferred eligible list shall so indicate in writing to the president's designee in charge of lists. Such election shall constitute a permanent waiver of all preferred eligible rights.

2. Use of Preferred Eligible Lists. a. When a position on the instructional staff other than a lecturer position becomes vacant in the retrenchment unit or there is a newly-created position on the instructional staff other than a lecturer position in the retrenchment unit, appointment shall be offered to the person whose name is listed first on the preferred eligible list for that retrenchment unit, except that for special educational reasons, which are not discriminatory against a particular person or persons, the person or persons next on the list may be offered appointment in lieu thereof. For the purposes of use of preferred eligible lists, a vacant position is a full-time position which the college has the financial ability to fill, intends to fill, and from which no person is on a leave of absence with or without pay.
b. If the position offered is in the same title as that held at the time of discontinuance, the person shall be deemed restored to his/her original position, and shall be appointed at a salary not less than that which he/she was receiving at the time of discontinuance.

c. If the position offered is not in the same title as held at the time of discontinuance, such person shall have tenure in the new position, provided it is on the permanent instructional staff, and the original date of tenure in the department shall be the tenure date. Such person shall be advised of the title and salary of the new position. Such person shall retain his/her place on the preferred eligible list.

d. If there is a vacant or newly created position in the lecturer title, and no person is on a preferred eligible lecturer list for such title in the retrenchment unit, such position shall be offered to persons on the preferred eligible list of tenured persons in accordance with subdivision c hereof.

e. Offers shall be made by certified mail to the address on file with the president's designee for lists. Acceptances shall be by certified mail to the president within four weeks of the mailing of the offer. The four week period may be reduced by the president if circumstances mandate.

f. Failure to accept an offer of appointment from a preferred eligible list to the title held when discontinued in the retrenchment unit from which discontinued, within the period specified herein, shall cause the name of such person to be removed therefrom forthwith, subject to subdivision g hereof.

g. If a person to whom an offer of an appointment from a preferred eligible list is made notifies the president within the time provided in subdivision e hereof that he/she cannot accept such offer for reasons which in the judgment of the president would otherwise justify a leave of absence with or without pay, or if such person demonstrates to the satisfaction of the president a present commitment to another employer, such appointment may be made effective for the term or semester commencing after the term or semester for which the offer is initially made, but in no event shall a person's name remain on the list for a period longer than three years. A substitute may be employed as interim appointee for the position.

h. All appointments of persons on preferred eligible lists shall be subject to the approval of the board of higher education and continued financial ability.

i. The restoration of a person from a preferred eligible list to the title held when discontinued, in the retrenchment unit from which discontinued, shall automatically remove his/her name from such list.

3. Terms and Conditions of Lists. a. Unless earlier removed as provided herein, a person's name shall remain on an eligible list for a period of three years and shall be removed at the end of such period.

b. The placement of a person's name on a preferred eligible list shall not preclude such person from accepting an appointment, if offered pursuant to the normal appointment procedures, to a vacant position within the university. Such person shall have tenure in the new position provided it is on the permanent instructional staff. Tenure in the new department shall date from the effective date of appointment to the new position. Such person shall be advised of the title and salary of the new position. Such person shall retain his/her place on the preferred eligible list for the original retrenchment unit.

c. A person who is employed by the board while his/her name is on a preferred eligible list, and who accepts an appointment from such eligible list to his/her original department shall retain no rights in or to the interim position.

d. A person whose name is placed on a preferred eligible list shall be deemed to be on leave without pay for the purpose of maintaining his/her status in any retirement system of which he/she is a member for the period his/her name is on the list, but service credit for retirement purposes shall not be accorded for such period. This paragraph shall not apply to persons who are employed by the board and are receiving service credit for retirement purposes as such employees while their names are on such lists.
e. Except for the purposes of subdivision d hereof a person whose name is on a preferred eligible list shall not be deemed thereby to be an employee of the board of higher education, and shall not be entitled to increment credit during the time he/she is on such list.

f. Any knowing misstatement or omission of material fact supplied by a candidate for or person listed on a preferred eligible list shall cause the immediate removal of a person's name from the preferred eligible list.

g. A person shall be notified of the removal of his/her name from a preferred eligible list, but failure of notification shall not cause retention of such person's name thereon.

h. A person whose name is to be placed on a preferred eligible list shall complete and deliver such forms as shall be issued by the office of faculty and staff relations. It is the responsibility of the person listed to keep the college informed of his/her current address and to update other required information as necessary, and failure to do so shall be the sole responsibility of the person involved. The university reserves the right to rely upon the latest information supplied by persons on preferred eligible lists.

6.12 DISCONTINUANCE OF CERTIFICATED POSITIONS

a. Members of the instructional staff who have received certificates of continuous employment shall be discontinued after all other non-tenured persons in the retrenchment unit.

b. A position held by a person who has received a certificate of continuous employment may be abolished or discontinued by the board for reasons which are not discriminatory against a particular person or persons. In the event that a certificated position in a retrenchment unit is to be abolished or discontinued, the person who last received his/her certificate of continuous employment shall be the person whose position is first to be abolished, except that for special educational reasons which are not discriminatory against a particular person or persons, the position of a person next most junior may be abolished or discontinued.

6.13 TRANSFER EFFORTS (CERTIFICATE OF CONTINUOUS EMPLOYMENT)

a. When the position of a lecturer holding a certificate of continuous employment is abolished or discontinued, the college shall attempt to find a vacant position in the college which can be efficiently and capably filled by such person, provided that transfer efforts shall be made for such lecturers only after such efforts are made pursuant to bylaw section 6.10 for any tenured member of the instructional staff whose positions have been abolished or discontinued. A vacant position is a full-time position which the college has the financial ability to fill and intends to fill, and with respect to which there is no applicable preferred eligible list, or from which no one is on a leave of absence with or without pay.

b. If such position is found, the certificate of continuous employment shall not be applicable thereto unless the position is that of lecturer. Seniority in the new department shall date from the effective date of appointment to the new department. Such person shall be advised of the title and salary of the new position.

c. The acceptance of a position pursuant to this subdivision shall not preclude the placement of such person's name on the preferred eligible lecturer list for his/her original retrenchment unit as provided in section 6.14 hereof.

6.14 PREFERRED ELIGIBLE LIST (CERTIFICATE OF CONTINUOUS EMPLOYMENT)

1. Establishment of Preferred Eligible Lists. a. There shall be a separate preferred eligible list for the lecturer title in each retrenchment unit and each list shall be applicable only to the lecturer title in the retrenchment unit for which it was created. Such list shall be called the preferred eligible lecturer list. The retrenchment unit is the academic department of the college, or the division or program, where the college is so organized, or, for other than academic departments, the administrative department office, or functional unit, from which such person was discontinued.
b. When the position of a member of the instructional staff with a certificate of continuous employment is abolished or discontinued, the name of such person shall be placed forthwith on the preferred eligible lecturer list for the retrenchment unit in which he or she last served. The names on each such list shall be ranked in order of effective date of appointment to the department or other retrenchment unit (normally September 1). If two or more persons have been discontinued on the same date, the person with the longest full-time continuous service on the instructional staff shall be listed first, the person with the longest combination of full and part-time continuous service on the instructional staff, and finally, in random order. For the purposes of this paragraph, continuous service shall include continuous service prior to an approved leave of absence without pay.

c. The head of each retrenchment unit shall forward to the president the names of all persons to be placed on preferred eligible lecturer list(s). The president shall designate a person to be responsible for, coordinate, and update all preferred eligible lists.

d. A person who elects not to have his or her name placed on the preferred eligible lecturer list shall so indicate in writing to the president's designee for lists. Such election shall constitute a permanent waiver of all preferred eligible rights.

2. Use of Preferred Eligible Lecturer Lists. a. When a lecturer position becomes vacant, or a new lecturer position is created in the department or other retrenchment unit, appointment shall be offered to the person whose name is listed first on the preferred eligible lecturer list for that department or other retrenchment unit except that for special educational reasons, which are not discriminatory against a particular person or persons, the person or persons next on the list may be offered appointment in lieu thereof. A person restored from a preferred eligible lecturer list shall be appointed at a salary not less than that which he/she was receiving when his/her position was abolished or discontinued. For the purposes of use of preferred eligible lecturer lists, a vacant position is a full-time lecturer position which the college has the financial ability to fill, intends to fill, and from which no person is on a leave of absence with or without pay.

b. Offers shall be made by certified mail. Acceptances shall be by certified mail to the president within four weeks of the mailing of the offer. The four week period may be reduced by the president if circumstances mandate.

c. Failure to accept an offer of appointment from a preferred eligible lecturer list within the period specified herein shall cause the name of such person to be removed therefrom subject to subdivision d hereof.

d. If a person to whom an offer of an appointment from a preferred eligible lecturer list is made notifies the president within the time provided in subdivision b hereof that he or she cannot accept such offer for reasons which in the judgment of the president would otherwise justify a leave of absence with or without pay, or if such person demonstrates to the satisfaction of the president a present commitment to another employer, such appointment may be made effective for the term or semester commencing after the term or semester for which the offer is initially made, but in no event shall a person's name remain on the list for a period longer than three years. A substitute may be employed as interim appointee for the position.

e. All appointments from preferred eligible lecturer lists shall be subject to the approval of the board of higher education and continued financial ability.

f. The restoration of a person from a preferred eligible lecturer list to the retrenchment unit from which discontinued shall automatically remove his or her name from such list.

3. Terms and Conditions of Lists. a. Unless earlier removed as provided herein, a person's name shall remain on an eligible list for a period of three years and shall be removed at the end of such period.
b. The placement of a person's name on a preferred eligible lecturer list shall not preclude such person from accepting an appointment, if offered pursuant to the normal appointment procedures, to a vacant position within the university. Such person shall be advised of the title and salary of the new position. Such person shall retain his/her place on the preferred eligible lecturer list for the original retrenchment unit.

c. A person who is employed by the board while his/her name is on a preferred eligible lecturer list, and who accepts an appointment from such eligible list to his/her original department shall retain no rights in or to the interim position.

d. Insofar as permitted by law a person whose name is placed on a preferred eligible lecturer list shall be deemed to be on leave without pay for the purpose of maintaining his/her status in any retirement system of which he/she is a member for the period his/her name is on the list, but service credit for retirement purposes shall not be accorded for such period. This paragraph shall not apply to persons who are employed by the board while their names are on such lists.

e. Except for the purposes of subdivision d hereof, a person whose name is on a preferred eligible lecturer list shall not be deemed thereby to be an employee of the board of higher education, and shall not be entitled to increment credit during the time he/she is on such list.

f. Any knowing misstatement or omission of material fact supplied by a candidate for or a person listed on a preferred eligible lecturer list shall cause the immediate removal of a person's name from such list.

g. A person shall be notified of the removal of his/her name from a preferred eligible lecturer list, but failure of notification shall not cause retention of such person's name thereon.

h. A person whose name is to be placed on a preferred eligible lecturer list shall complete and deliver such forms as shall be issued by the office of faculty and staff relations. It is the responsibility of the person listed to keep the college informed of his/her current address and to update other required information as necessary, and failure to do so shall be the sole responsibility of the person involved. The university reserves the right to rely upon the latest information supplied by persons on preferred eligible lecturer lists.

and be it further

RESOLVED, That subdivision 3 of a section entitled “Criteria to be Applied” of the Resolution entitled “Guidelines and Procedures for Retrenchment” (May 24, 1976, Cal. No. 7) be amended to read as follows:

3. Full-time instructional staff members holding certificates of continuous employment shall be discontinued in accordance with [Article 6.9(f)] section 6.12 of the bylaws before any employee holding statutory tenure.

and be it further

RESOLVED, That the section entitled “Tenured Instructional Staff” of such resolution be amended to read as follows:

Tenured Instructional Staff: Tenured members of the instructional staff shall be discontinued after all non-tenured persons, including persons holding certificates of continuous employment, in the department. The provisions of subdivision 11 of section 6206 of the education law, [section] and sections 6.9, 6.10, and 6.11 of the bylaws [and the Rules and Procedures for Preferred Eligible Lists] are applicable to these titles.

NOTE: Matter Underlined is new, matter in brackets to be deleted.
EXPLANATION: These amendments conform the bylaws to the "Guidelines and Procedures for Retrenchment" adopted by the Board on May 24, 1976 (Cat. No. 7) and set forth procedures for transfer efforts and the establishment and administration of preferred eligible lists for discontinued tenured and certificated instructional staff members. Bylaw provisions are required by Education Law Section 8206(11) to be adopted for preferred eligible lists for tenured members of the instructional staff who have been discontinued.

Bylaw section 6.9(b) is amended to conform the bylaws to the controlling language in Education Law section 6206(11), which provides that where a tenured position is to be discontinued, such position shall be that of the person "last appointed to" the department.

NO. 5. COMMITTEE ON FISCAL AFFAIRS: RESOLVED, That the following items be adopted:

A. BROOKLYN COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education authorize Brooklyn College to award a contract without public advertising, but after competitive bidding, to the lowest responsible bidder for uniformed guard service at the Brooklyn College campus for the period August 1, 1976 through June 30, 1977 at an estimated cost of $339,102 chargeable to Brooklyn College Tax Levy Code 042-4500-403-01/77, subject to financial ability and pursuant to the Brooklyn College Declaration of Emergency dated July 9, 1976 addressed to the Vice Chancellor for Business Affairs as authorized under Article XI of the Purchasing Regulations approved by the Board of Higher Education meeting of May 27, 1968, Calendar No. 14.

EXPLANATION: The Brooklyn College contract with Electra Security Corporation for Uniformed Guard Services expired June 30, 1976. The college was authorized by the Board of Higher Education at its meeting on April 26, 1976, Calendar 41, B., to award a new contract for the July 1, 1976 - June 30, 1977 period with an option to renew for one year. The college was unable to advertise a new contract pending approval by the Director of the Budget. As a result, the college exercised its option to extend the contractual service with Electra Security per specification until midnight July 31, 1976.

The delay in obtaining the 1977 DM Certificate would deny the college uniformed guard service on August 1, 1976; therefore, upon the recommendation of the Director of Security and the Vice President for Planning and Administration, the Business Manager declared a state of emergency with respect to the preservation of health, safety and security on campus, and authorized the contract officer to solicit bids from qualified security guard companies without public advertising.

Bids and specifications for uniformed guard service approved by the Corporation Counsel of the City of New York were sent to nineteen (19) guard service companies and sealed bids were opened in the presence of witnesses at 9:30 a.m. on July 14, 1976.

The lowest responsible bid was accepted by Letter of Intent and the contract awarded for the period August 1, 1976 to June 30, 1977, subject to financial ability and approval by the Emergency Financial Control Board and registration by the Comptroller of the City of New York.

B. THE CITY COLLEGE - CONSTRUCTION OF AARON DAVIS HALL:

RESOLVED, That in order to permit the completion of the City College Center of Performing Arts, an agreement is hereby authorized between the Board on behalf of City College, The City College Fund, and the Bowery Savings Bank (hereinafter referred to as "Bowery") to provide in substance as follows:

1. The Bowery shall contribute $6,200,000 to a joint venture with The City College Fund, to be invested in $6,200,000 face amount of revenue bonds of the Dormitory Authority of the State of New York, Series J (hereinafter referred to as the "Bonds").
2. The City College Fund shall contribute to the joint venture with Bowery the existing investment portfolio and cash on hand (hereinafter referred to as the “Portfolio”) held by it pursuant to an agreement dated November 24, 1971 by and among Leonard Davis and Sophie Davis, The City College Fund, and the Board, such Portfolio having a current market value of approximately $2,300,000. The Portfolio shall be valued as of the effective date of the agreement and shall be deemed to maintain that value until the agreement has terminated, subject to paragraph 5.

3. The Board shall provide an amount (hereinafter referred to as the “Collateral”) up to $600,000 in cash or high grade corporate bonds as collateral to secure in part the payment of principal and interest of the Bonds. Such collateral shall be valued as of the effective date of the agreement and shall be deemed to maintain such value until the agreement has terminated subject to paragraph 5.

4. The Portfolio and the Collateral may be held by Bowery and shall be invested and reinvested by The City College Fund and the Board, respectively, so as to maintain optimum yield consistent with reasonable safety and prudent judgment.

5. As long as no default has occurred in the payment of principal or interest on the Bonds, interest on the investment of the Portfolio and Collateral shall be paid quarterly to The City College Fund and Board, respectively. On and after the date when the principal and interest due on the Bonds is equal to the combined actual value of the Portfolio and Collateral, the Portfolio and the Collateral will revert and be delivered by Bowery to The City College Fund and the Board respectively in pro-rated shares such that the combined actual value of the Portfolio and Collateral shall not exceed the principal and interest due on the Bonds. When principal and interest on the Bonds has been paid in full, the agreement shall terminate, and the assets of the Portfolio and the Collateral shall revert respectively to The City College Fund and the Board.

6. In the event of a default on the Bonds, Bowery may terminate the agreement and retain the assets of the Portfolio and Collateral, less the value of the Bonds, turning over to The City College Fund and Board respectively pro-rated shares of the excess over the then unpaid principal of the Bonds plus accrued and unpaid interest and the costs of collection.

7. If, during the term of the agreement, a third party makes a binding offer to purchase the Bonds at a premium of 6 1/2% prior to July 1, 1978; 5 3/4% prior to July 1, 1979; 5% prior to July 1, 1980; 4 1/4% prior to July 1, 1981; 3 1/2% prior to July 1, 1982; 2 3/4% prior to July 1, 1983; and 2% prior to July 1, 1984, The City College Fund and the Board may terminate the agreement, and the Portfolio and Collateral will revert to them. If Bowery sells the Bonds at such premium, it shall receive the then unpaid principal amount of the Bonds plus unpaid interest to the date of sale, and the agreed upon premium. Any remaining proceeds of the sale will be paid pro-rata to The City College Fund and Board.

and be it further

RESOLVED, That the Secretary shall execute an agreement containing the provisions set forth in the above resolution upon approval as to form by the General Counsel; and be it further

RESOLVED, That up to $600,000 of principal and interest of the gifts received as distributions from the Jacob R. Schiff Trust Fund by the Board pursuant to resolutions dated December 15, 1952 (Cal. No. 23), April 20, 1953 (Cal. No. 18), and October 21, 1963 (Cal. No. 20), now held in accounts No. C 162 and No. C 184, shall be delivered as collateral to Bowery to secure in part the payment of principal and interest of the Bonds described in the above authorized agreement, and insofar as any restriction or limitation on the use of such gifts inconsistent with the above authorized agreement is contained in such resolutions, such restriction or limitation is hereby repealed; and be it further

RESOLVED, That insofar as the President of City College may, under such resolutions, expend the principal or income of the Schiff Funds, such power is hereby suspended to the extent of that portion of the Funds held as collateral pursuant to the above authorized agreement until such agreement has terminated; and be it further
RESOLVED, That the Deputy Chancellor or the Vice Chancellor for Budget and Planning is hereby authorized to take such actions and to sign such documents as shall implement the above authorized agreement, including but not limited to the removal of securities from the presently designated custodian and depository, and the delivery thereof to Bowery, and the investment and reinvestment of the Collateral in accordance with such agreement and the resolution relating to Trust and Gift Transactions dated June 17, 1974 (Cal. No. 4 111. A).

EXPLANATION: The completion of the City College Center of Performing Arts (Aaron Davis Hall) authorized by the Board on September 25, 1972 (Cal. No.4.II.A) requires the issuance of additional obligations of the Dormitory Authority in the amount of $6.2 million. Because of the current fiscal crisis in the City and State, obligations of the Dormitory Authority are not marketable in the usual manner.

The agreement authorized herein by and between the Bowery Savings Bank, City College Fund and the Board pursuant to which Bowery will purchase the Bonds in an investment pool or joint venture arrangement with The City College Fund and a collateral arrangement with the Board will permit completion of the Center. Chapter 909 of the Laws of 1976, adding Section 6203-a to the education law, declares that the use of gifts and grants held by the Board as collateral for obligations of Dormitory Authority Bonds is reasonable, prudent, proper and reasonable; authorizes the use of such funds as such collateral notwithstanding any other provision of law; and requires the State to save and hold harmless and indemnify members of the Board and its employees from any financial loss arising out of or in connection with any claim, suit or judgment relating to the use of such funds as collateral.

The Schiff Funds which will be used for this purpose are unrestricted gifts accepted by the Board on behalf of City College. Earlier resolutions referred to in these resolutions setting forth directions for the use of the Schiff Funds contain self-imposed limitations which are removed by these resolutions. Additionally, the power of the President to dispose of the principal or income of the two Funds here affected is restricted for the duration of the tripartite agreement.

A pool or joint venture arrangement between Bowery and The City College Fund is necessitated in the opinion of their respective counsel by the terms of the Davis gift which is to be used in implementing the agreement.

Mr. D'Angelo, on behalf of the Board, commended the Chancellor, President Marshak, and all other members of the College and University staff who had devised the method of financing the construction of Aaron Davis Hall. Mr. Crowley asked that the commendation include the Bowery Savings Bank for its participation in the program.

C. NEW YORK CITY COMMUNITY COLLEGE - LEASE FOR EDUCATIONAL OPPORTUNITY CENTER:

RESOLVED, That the Board on behalf of New York City Community College, authorize a five year and two month extension of a lease with an annual option to terminate effective August 31 of each year and funded solely from State funds received pursuant to an agreement with the State University of New York for the Educational Opportunity Center, Brooklyn, New York, for 55,000 square feet of space and the addition of 16,000 square feet of space, at 470 Vanderbilt Avenue, Brooklyn, New York, at an annual cost of $176,000 for the period of September 1, 1976 through August 31, 1981, and a monthly rental of $12,333.33 for the period of July 1, 1976 through August 31, 1976.

RESOLVED, That the Board authorize the President of New York City Community College to execute the above lease extension, subject to the approval as to form of the General Counsel.

EXPLANATION: Since 1967 the subject facility has housed the Brooklyn Educational Opportunity Center administered by New York City Community College pursuant to contract with the State University of New York. On August 2, 1976 (Cal. No. 9.) the Board authorized the continuation of the contract with State University through August 31, 1977.

Under the contract with State University, the Educational Opportunity Center must be accessible to Bedford-Stuyvesant, East New York, Williamsburg, Fort Greene, Greenpoint, and Red Hook among others. The present location of the Educational Opportunity Center makes it accessible. In addition, the present site responds to the needs of the Educational Opportunity Center which has extensive amounts of heavy equipment in place.

All financial costs of the lease will be met from funds made available to the Educational Opportunity Center by State University. The lease provides that the lease may be annually terminated and is subject to the availability of funds from State University.

Subject to the availability of funds from State University, the landlord has agreed to undertake improvements in the added space as per plans and specifications prepared by New York City Community College. The cost of this work will not exceed $22,000 in 1976/77 and $175,000 in 1977/78.
D. TRUSTS AND GIFTS - APPOINTMENT OF INVESTMENT COUNSEL:

RESOLVED, That Brundage, Story and Rose be reappointed as investment counsel for the period July 1, 1976 - December 31, 1976 for the Investment Pool, Baruch Endowment Fund, and Morton Wollman Fund at the same annual rate as last year; and be it further

RESOLVED, That Shearson Hayden Stone, Inc. be reappointed as investment counsel for the period July 1, 1976 - December 31, 1976 for the Voorhees Endowment Fund and the Silberman Scholarship Fund at the same annual rate as last year.

EXPLANATION: The Board of Higher Education uses investment counsel to provide professional assistance in managing its trusts and gifts activities.

Mr. D'Angelo informed the Board that the Committee on Fiscal Affairs will shortly undertake a comprehensive review of the performance of investment counsel, security transactions and related matters.

NO. 6. PRESIDENT - THE CITY UNIVERSITY GRADUATE SCHOOL AND UNIVERSITY CENTER: RESOLVED, That Harold M. Proshansky, Professor of Psychology, be designated President of The City University Graduate School and University Center effective November 1, 1976, with compensation at the rate of $13,000 per annum in addition to his academic salary, subject to financial ability.

EXPLANATION: Harold M. Proshansky was designated President of The City University Graduate School and University Center effective November 1, 1973, for a period of three years. That term will expire on October 31, 1976. On the basis of Dr. Proshansky's outstanding performance in the capacity of President for the past three years, it was recommended that he be reappointed for an indefinite term effective November 1, 1976.

NO. 6A. ACTING PRESIDENT - BARUCH COLLEGE: Upon motions duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That Bernard Mintz be designated Acting President of Baruch College with the annual salary of $13,000 per annum in addition to his academic salary effective November 8, 1976, subject to financial ability and until such time as a permanent President has been selected by the Board of Higher Education.

NO. 7. UNIVERSITY REPORT: The Chancellor reported the receipt of the following two grants:

(a) $74,000 to York College from the State Department of Education for the development of community personnel.

(b) $252,000 from the Ford Foundation to the Center for Puerto Rican Studies for a three-part study of Puerto Ricans at CUNY, a sociolinguistic survey, and to conduct a three-level research training program.

Upon motions duly made, seconded and carried, the meeting was adjourned at 5:50 p.m.

RICHARD M. CATALANO
Secretary of the Board
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

NOVEMBER 8, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairperson called the meeting to order at 4:10 P.M.

There were present:

Harold M. Jacobs, Chairperson
Patricia Carry Stewart, Vice-Chairperson

Walter H. Crowley
Edith B. Everett
Ronald T. Gault
Gurston D. Goldin
Albert V. Maniscalco

Peter Maas
Harriet R. Michel
Jack J. Olivero
Emanuel R. Piore
David Z. Robinson

David Valinsky, ex officio

Richard M. Catalano, Secretary of the Board
Mary P. Bass, General Counsel & Vice Chancellor for Legal Affairs

Chancellor Robert J. Kibbee
Deputy Chancellor Seymour S. Hyman

The absence of Ms. Conway, Mr. D’Angelo and Mr. Figueroa was excused.

NO. 1. ELECTION OF FIFTH MEMBER OF LONG-RANGE PLANNING COMMITTEE: Dr. Robinson nominated Mr. Olivero. The nomination was seconded by Mr. Gault.

Mr. Olivero was elected unanimously by voice vote.

Upon motions duly made, seconded and carried, the meeting was adjourned at 4:15 P.M.

RICHARD M. CATALANO
Secretary of the Board
MINUTES OF THE MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK
HELD
NOVEMBER 22, 1976
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET - BOROUGH OF MANHATTAN

The Chairperson called the meeting to order at 5:30 P.M.

There were present:

Harold M. Jacobs, Chairperson
Patricia Carry Stewart, Vice Chairperson

Loretta A. Conway
Walter H. Crowley
Armand D’Angelo
Edith B. Everett
Nicholas Figueroa
Ronald T. Gault

Gurston D. Goldin
Albert V. Maniscalco
Harriet R. Michel
Jack J. Olivero
Emanuel R. Piore
David Z. Robinson

David Valinsky, ex officio
Maynard S. Jones, ex officio

Richard M. Catalano, Secretary of the Board
Mary P. Bass, General Counsel & Vice Chancellor for Legal Affairs

Chancellor Robert J. Kibbee
President Milton G. Bassin
President Edgar D. Draper
Acting President Evangelos J. Gizis
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
Acting President Gerald W. Lynch
President Robert E. Marshak
Acting President Bernard Mintz
President Harold M. Proshansky
Acting President Morton Rosenstock

President Kurt R. Schmeller
President Joseph Shenker
President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
Deputy Chancellor Seymour C. Hyman
Acting Vice Chancellor Egon Brenner
Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng

The absence of Mr. Peter Maas was excused.
Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Cal. Nos. 1 through 6)

**NO. 1. CHANCELLOR’S REPORT:** The resolution was moved and seconded.

At this point the Board heard Mr. Arnold Cantor, the Executive Director of the Professional Staff Congress, who spoke on the widespread appointment of adjuncts throughout the University system.

The following resolution was adopted:

RESOLVED, That the Chancellor’s Report for November 22, 1976 (including Addendum Items) be approved as amended as follows:

(a) Item D.5. Central Office - Appointment (Annual Salary Basis): Amended to indicate that appointment of John Van Buren Sullivan requires a waiver of the bylaws.

(b) Items listed in PART E - ERRATA, to be withdrawn or changed, as indicated.

**NO. 2. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the meeting of the Board of Higher Education on October 25, 1976 be approved as circulated.

**NO. 3. COMMITTEE ON ACADEMIC AFFAIRS:** RESOLVED, That the following items be adopted:

**A. BARUCH COLLEGE-CORNELL UNIVERSITY - M.S. IN INDUSTRIAL AND LABOR RELATIONS:**

In introducing this item, Dr. Goldin made the following statement for the record:

This is one of the two proposals on the Calendar which represent additional steps in the development of collaborative educational efforts between City University and the public and independent educational sectors. Such consortium arrangements, involving components of this University and other institutions in cooperative educational endeavors, will serve to strengthen and enrich the intellectual life of each sector, augment their educational opportunities, and achieve economies both fiscal and educational.

The following resolution was adopted:

RESOLVED, That the program in Industrial Labor Relations leading to the M.S. degree, to be offered by Baruch College in cooperation with the New York State School of Industrial and Labor Relations at Cornell University, be approved, effective September 1977, subject to financial ability.

**EXPLANATION:** The need for a comprehensive Master’s program in Industrial Labor Relations has been identified by management and professional personnel in the public and private sectors; graduates of the Labor College (an undergraduate program sponsored by SUNY and Cornell); and by many others employed by unions, commerce and industry in the metropolitan area.

The program, developed by a joint Baruch-Cornell Committee, will offer two fields of concentration: collective bargaining (including mediation, arbitration, fact finding, labor law, and labor union history and administration) and personnel and manpower studies. The program will consist of a total of 12 courses or 36 credits plus a thesis or approved alternative research project.
A joint committee selected from the graduate faculties of Baruch and Cornell will be responsible for the academic surveillance of the program, selection of students, and approval of degree candidates. It is anticipated that about 40 students will enroll in the program each year. Tuition and fees paid by students enrolled in a section taught by Cornell University faculty will be charged for at the prevailing Cornell University rates and these monies will be received by Cornell University. At the same time, tuition and fees paid by students enrolled in sections taught by Baruch College faculty will be retained by City University in the usual way. The program does not require additional facilities or faculty. Any costs incurred by Baruch will be absorbed by the college within its regular operating budget.

B. GRADUATE SCHOOL AND UNIVERSITY CENTER - INSTITUTE FOR THE STUDY OF WOMEN AND SEX ROLES:

RESOLVED, That the Institute for the Study of Women and Sex Roles be established at the CUNY Graduate School and University Center, subject to the receipt of outside funding to cover all costs of the Institute.

EXPLANATION: The purpose of the Institute is to promote the scholarly study of women and sex roles; to encourage and coordinate on a university-wide basis graduate and undergraduate courses related to this field; to develop, encourage and/or sponsor research projects in the study of women and sex roles; and to develop and sponsor programs in community education on topics related to women and sex roles. No institution currently exists in the metropolitan area to fulfill these functions. The Institute will establish a mechanism for seeking outside funds. It will not offer courses, give degrees, or require any new tax levy funding.

Dr. Goldin asked to be recorded as voting No.

C. HOSTOS COMMUNITY COLLEGE - DISCONTINUANCE OF A.A.S. PROGRAM IN NURSING:

RESOLVED, That effective September 1, 1976, the Associate in Applied Science (AAS) degree program in nursing at Hostos Community College be discontinued.

EXPLANATION: The Chancellor’s Task Force on the future of Health Sciences recommended the termination of this nursing program, and in light of the budget crisis, the President of Hostos Community College decided to close it. The Central Office has made arrangements to insure that all students are able to transfer to equivalent programs without loss of credit. The University will notify the State Education Department that registration is no longer needed.

D. BROOKLYN COLLEGE - BROOKLYN LAW SCHOOL - M.A. PROGRAM IN POLITICAL SCIENCE:

RESOLVED, That the Board of Higher Education authorizes Brooklyn College to articulate its M.A. Program in Political Science with the J.D. Program at Brooklyn Law School, effective November 1976, subject to financial ability.

EXPLANATION: Brooklyn College is already authorized to award the M.A. in Political Science. This articulated program will offer a concentration in Policy Analysis and will prepare law students for careers related to the formulation, administration, or evaluation of public policies. It will also provide students with additional credentials (the M.A. degree) and supplementary skills that will enhance their qualifications for competitive positions in the field of law. The program will be administered by a joint Brooklyn Law-Brooklyn College Committee. Tuition fees will be collected and retained by each institution for the courses taught by its faculty. The program does not require additional faculty or facilities. Any expenses incurred at Brooklyn College will be absorbed within its regular operating budget.
NO. 4. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT: RESOLVED, That the following item be adopted:

A. SENIOR COLLEGE - REMOVAL OF ARCHITECTURAL BARRIERS FOR HANDICAPPED:

RESOLVED, That the Board of Higher Education approve the contract documents as prepared by the Office of Facilities Planning and Management, and authorize the Office of Facilities Planning and Management to bid and award the contract to the lowest responsible bidder for the removal of architectural barriers for the handicapped at various Senior College campuses and buildings at an estimated cost of $100,000 chargeable to Second Year Funds of the Federal Government's Community Development Act for projects for the handicapped; and be it further

RESOLVED, That the Director of Management and Budget be requested to approve said documents and authorize said expenditure for the proposed contract.

EXPLANATION: Alterations and Site Work are required at Baruch College, Brooklyn College, City College, Hunter College, Queens College, John Jay College, Lehman College, York College, the Graduate Center and the Board of Higher Education Central Office to remove various barriers for the handicapped. These alterations include ramps, door modifications and toilet alterations. Many college buildings have been built or acquired which did not consider the needs of the handicapped or lacked the facilities for the disabled. Therefore, it has become necessary to correct and remove all possible architectural barriers for the handicapped.

The Community Development Act, Second Year Funds, has allocated $100,000 for this work.

NO. 5. COMMITTEE ON CENTRAL ADMINISTRATION: RESOLVED, That the following items be adopted:

A. QUEENSBOROUGH COMMUNITY COLLEGE GOVERNANCE PLAN:

RESOLVED, That the Queensborough Community College Governance Plan be approved.

NOTE: A copy of the Governance Plan is on file in the Office of the Secretary of the Board.

B. NEW YORK CITY COMMUNITY COLLEGE GOVERNANCE PLAN:

RESOLVED, That the New York City Community College Governance Plan be approved.

Amendments to the Plan are subject to Board approval.

NOTE: A copy of the Governance Plan is on file in the Office of the Secretary of the Board.

C. BROOKLYN COLLEGE GOVERNANCE PLAN:

The resolution was moved and seconded.

At this point the Board heard the following who spoke against the Plan:

Prof. Richard H.P. Mendes, Vice-Chairperson, Brooklyn College Chapter, Professional Staff Congress
Mr. Jeff Kraus, Brooklyn College Student Body President
Ms. Marlene Kopiec, Brooklyn College Student
and the following who spoke in favor of the Plan:

Prof. Shirley Wedeen, Brooklyn College Faculty Council
Prof. Alvin Halpern, Brooklyn College A.A.U.P. Chapter
Prof. Melvin Ferentz, Brooklyn College Master Plan Committee

The following resolution was adopted:

RESOLVED, That the governance structure presented by Brooklyn College be approved with the understanding that Brooklyn College will proceed to develop amendments to this structure, which will insure student and junior faculty participation in the decision-making process of the College and its constituent schools, and present those amendments to the Board prior to June 1977.

EXPLANATION: The proposed governance structure does not fully comply with the Board’s Statement of Policy on the Organization and Governance of The City University of New York in that it does not insure complete student participation in the decision-making process at all levels and fails to guarantee adequate inclusion of junior faculty in the decision-making process.

The resolutions above are intended to authorize Brooklyn College to operate under the proposed governance structure and to utilize the Policy Council for developing amendments which will conform the structure more closely to the Board’s Governance Guidelines. These changes are to be completed and submitted to the Board prior to the end of the Spring 1977 semester.

NOTE: A copy of the Governance Plan is on file in the Office of the Secretary of the Board.


Mr. Jones asked to be recorded as being opposed to tabling the item since this was inconsistent with the action taken on the previous resolution.

E. POLICY FOR NAMING OF SCHOOLS, BUILDINGS OR PARTS THEREOF:

RESOLVED, That a resolution relating to the naming of schools, buildings, or parts thereof adopted on December 21, 1959 (Cal. No. 6) be and the same is hereby repealed; and be it further

RESOLVED, That a proposal to designate a school, building, or part thereof by the name of any person, living or dead, or entity, may be recommended by the President of the college or other unit of which such school or other facility is a part to the Chancellor, and if he approves, the Chancellor may make a recommendation thereon to the Board; and be it further

RESOLVED, That no public announcement of any such designation shall be made until authorized by the Board.

EXPLANATION: The resolution establishes a procedure for the Board to designate names for schools, buildings or parts thereof so as to permit the honoring of outstanding and worthy persons thereby.

F. BYLAW AMENDMENTS:

(a) Notice was served of a proposed amendment to Article I of the bylaws of the Board relating to the scheduling of public hearings.

In accordance with bylaw provisions, the text of the bylaw amendment will be circulated ten days before the next regularly scheduled meeting of the Board.
EXPLANATION: The bylaw is being amended to clarify the policy of the Board with respect to public hearings.

(b) Notice was served of a proposed amendment to Article I of the bylaws of the Board relating to speakers at stated meetings of the Board.

In accordance with bylaw provisions, the text of the bylaw amendment will be circulated ten days before the next regularly scheduled meeting of the Board.

EXPLANATION: The bylaw is being amended so as to permit the Board to give fuller consideration to statements made by members of the public at Board meetings.

NO. 6. UNIVERSITY REPORT: The Chancellor reported on the following matters of Board and University interest:

(a) A communication had been received from the President of the Higher Education Services Corporation which would have made ineligible for Tuition Assistance Grants a large number of students since it indicated that only one credit would be allowed for each two contact hours of non-credit remedial work. Many students would, therefore, have been considered part-time students and ineligible for TAP. The matter was taken up with the State Commissioner of Education, the President of the Higher Education Services Corporation, and the Chairman of the State Assembly Higher Education Committee. The Chancellor has since been informed that that ruling was being rescinded.

(b) The following grants have been received:

(1) A grant of $170,000 from the Federal Government to Queensborough Community College to support its Homebound Program.

(2) Grants to LaGuardia Community College of $840,000 for occupational therapy and bilingual programs and $208,000 as a model career educational college.

(c) The Chancellor introduced Mr. John Van Buren Sullivan, who will serve as Deputy to the Chancellor for University Relations.

NO. 7. COMMENDATION OF CITY COLLEGE ADMINISTRATION: Dr. Goldin read for the record the following statement commending the administration of City College:

I wish to commend the administration of The City College for its prompt intervention last week in response to an ominous attempt to suppress freedom of expression at the College and for its timely and vigorous defense of that vital freedom on campus.

Mr. Chairman, I would hope that it is really unnecessary to make any exhortation on the need to maintain intellectual freedom on our campuses, and our responsibility to ensure that students, as well as scholars and teachers, in our University are protected in their exercise of it.

In my opinion, Mr. Chairman, this freedom can be compromised, if not fatally subverted, not only by overt reprisals for its exercise, but also by the covert retribution represented by the threat or fear of retaliation. The value of freedom of thought and expression within our academic community is not diminished, in any way, because error may, at times, arise from its exercise.

I am confident that our Board reaffirms its absolute commitment to the principle of intellectual freedom and our solemn obligation to preserve and nourish the exercise of this freedom.

Upon motions duly made, seconded and carried, the meeting was adjourned at 6:56 P.M.

RICHARD M. CATALANO
Secretary of the Board
The Vice Chairperson called the meeting to order at 6:27 p.m.

There were present:

Patricia Carry Stewart, Vice Chairperson
Loretta A. Conway
Walter H. Crowley
Armand D'Angelo
Edith B. Everett
Ronald T. Gault

Gurston D. Goldin
Albert V. Maniscalco
Harriet R. Michel
David Z. Robinson

David Valinsky, ex officio
Maynard S. Jones, ex officio

Richard M. Catalano, Secretary of the Board
Mary P. Bass, General Counsel & Vice Chancellor for Legal Affairs

Chancellor Robert J. Kibbee
President Milton G. Bassin
President Edgar D. Draper
President Evangelos J. Gizis
President John W. Kneller
President Leonard Lief
Acting President Gerald W. Lynch
Acting President Bernard Mintz
President Harold M. Proshansky
Acting President Morton Rosenstock
President Kurt R. Schmeller

President Joseph Shenker
President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
Deputy Chancellor Seymour C. Hyman
Acting Vice Chancellor Egon Brenner
Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng

The absence of Mr. Jacobs, Mr. Figueroa, Mr. Maas, Mr. Olivero and Dr. Piore was excused.
Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Cal. Nos. 1 through 10)

At this point the Board considered Cal. No. 8.

**NO. 8. POLICY STATEMENT ON CITY UNIVERSITY:** The resolution was moved and seconded.

Dr. Goldin moved to amend the last paragraph of the Statement to read as follows:

And it is the resolve of the Board of Higher Education that all officers and administrators of the Board support the efforts aimed at the survival and preservation of the City University and of its distinct identity and missions - and of an appropriate and essential budget from both the State and the City, sufficient to meet the vital needs of the University.

The motion to amend was seconded by Prof. Valinsky. The motion to amend was lost.

The following resolution was adopted:

RESOLVED, That the Board approve the following policy statement:

It is the policy and purpose of the Board of Higher Education to pursue, in every possible and appropriate way, the permanent recognition, by State law and through State and City funding, of the City University as a separate and independent institution, with its present range of differentiated but articulated parts, and all of its current missions.

It is the policy and purpose of the Board of Higher Education to preserve, enhance, and improve the City University as an institution of the highest quality and standards, with a faculty and administration charged to fulfill both the general and specific missions of the University: - to educate and serve the people of New York City, to constitute an urban-oriented institution of higher education, and to engage persistently in the search for knowledge and truth. It is the further view of the Board that the maintenance of the specialized missions of the City University and specifically of its functions as an institution related to and essential to the future of the City must be assiduously striven for.

The Board recognizes the difficult fiscal position of the City and the State - and it is essential that the University operate at an austere funding level and with all unnecessary duplication eliminated. We believe that the drastic reductions of over $90 million have more than accomplished those goals and have badly affected the University. For this reason it is further the policy of the Board that a budget sufficient to discharge the purposes and mission of the University be actively sought and fought for from State and City, and that any deliberate further shrinkage of the enrollment, access, quality and mission of the University, through budget cuts or otherwise, be strongly opposed.

Therefore it is the purpose of the Board of Higher Education that a broad and pervasive mobilization of all elements, constituencies, and friends of the University and of each of its parts be conducted to achieve the above ends.

And it is the resolve of the Board of Higher Education that all officers and administrators of the Board be directed, exhorted, and admonished that the efforts aimed at the survival and preservation of the City University and of its separate identity and missions - and of an appropriate and essential budget from both the State and the City, sufficient to meet the vital needs of all present elements of the City University - shall be the first priority of each of such officers and administrators.
Minutes of Proceedings, December 20, 1976

Dr. Goldin asked to be recorded as voting No and made the following statement:

I fully support the objective of maintaining our University's capability, at this time of extreme financial difficulty, to provide those educational opportunities which are central to its basic educational mandate. I continue to urge that the Board of Higher Education establish, within the context of a severe financial constraint, a schedule of academic priorities which will be supportive of CUNY's primary educational mission.

However, the Resolution before us will be perceived as an ill-timed and unrealistic appeal for the maintenance of the status quo in mission, structure and program rather than as a responsible exhortation for the exercise of prudent and pragmatic managerial leadership by the University administration.

The Policy Statement on City University is deficient in terms of its failure to recognize that fiscal exigencies and sound educational management compel the Board of Higher Education to initiate immediately a long-range educational planning process, involving probable changes in the administrative configuration of the University and a realignment of the educational missions of its constituent institutions.

I have previously rejected the contention that such a planning process, concerned with the formulation of effective administrative structures and academic programs within the conceptual framework of a comprehensive educational policy for the University, would constitute a self-fulfilling prophecy. Such an argument is untenable and specious.

In view of the fact that this Resolution will serve no practical purpose in operational terms - its approval is not required to implement a CUNY public relations campaign or to promote efforts by our friends to mobilize external support - its adoption at this time, in view of recent media developments, would be an imprudent and gratuitously provocative act. I am troubled that its passage would be perceived as a self-serving plea for maintaining the status quo and have an adverse impact on our public image as a responsible Board and damage the University's public relations posture.

I am also disturbed by the admonition in the last paragraph of the Resolution which has been interpreted, in some quarters, as imposing a "gag-order" on the officers of the University in order to suppress dissent and discourage alternative proposals for the resolution of our intractable difficulties. Such language is an especially unfortunate and inappropriate idiom for an academic community which should encourage the free exchange of ideas.

To my great regret, I am not able, in good conscience, to cast an affirmative vote today for Cal. No. 8 as it was written on the calendar.

Mr. D'Angelo made the following statement for the record:

We are going to be coming into very trying times. This Resolution indicates the importance of mobilizing all the friends of CUNY throughout the City to support our efforts, and that was the purpose of the Resolution.

Prof. Irwin Polishook, President of the Professional Staff Congress, presented a statement for the record in support of the Resolution.

NO. 1. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for December 20, 1976 (including Addendum Items) be approved as amended as follows:

(a) Item BIII.5.1 (Queens College Student Activity Fee): Tabled to the January meeting of the Board.

(b) PART D - ADDENDUM: Add the following item:

<table>
<thead>
<tr>
<th>Dept. &amp; Title</th>
<th>Name</th>
<th>Eff.</th>
<th>Sal. Supplement</th>
</tr>
</thead>
<tbody>
<tr>
<td>School of Business &amp; Public</td>
<td>Samuel F. Thomas</td>
<td>2/1/77</td>
<td>$7,000/A</td>
</tr>
</tbody>
</table>

(c) Items listed in PART E - ERRATA, to be withdrawn or changed, as indicated.

EXPLANATION: The Chancellor's Report consists of those resolutions and actions of a non-policy nature which require approval by the Board of Higher Education.

**NO. 2. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the Board of Higher Education for the following meetings be approved as circulated:

November 8, 1976 (Special Meeting)
November 22, 1976

**NO. 3. CLYDE J. WINGFIELD - APPRECIATION OF SERVICES:** WHEREAS, Clyde J. Wingfield became the second President of Bernard M. Baruch College on July 1, 1971, after having served with distinction at Southern Methodist University, The University of Texas at El Paso, Northern Illinois University, and The Pennsylvania State University; and

WHEREAS, His intellectual interests and accomplishments in public administration, witnessed by his published work in the field and by his service as consultant to various government agencies, have promoted the expansion and excellence of Bernard M. Baruch College as a center of business leadership, municipal management and urban studies related to the problems of New York City; and

WHEREAS, Dr. Wingfield has left Bernard M. Baruch College to assume the post of Provost and Executive Vice President of the University of Miami; now therefore be it

RESOLVED, That the Board of Higher Education expresses its regret over Dr. Wingfield's resignation and its deep appreciation for his devoted efforts on behalf of Bernard M. Baruch College and the City University.

**NO. 4. COMMITTEE ON ACADEMIC AFFAIRS:** RESOLVED, That the following item be adopted:

A. TRANSFER OF REGIONAL CENTER FOR VOCATIONAL TEACHER EDUCATION:

RESOLVED, That the Board of Higher Education approve the transfer of the Regional Center for Vocational Teacher Education from the Teacher Education Unit of Central Staff to the Department of Industrial Education, in the School of Education at City College, effective December 1, 1976.

EXPLANATION: A Review Committee which included representatives of the State Education Department, CUNY's Office of Academic Affairs and the instructional staff from City College, recommended the transfer of this program to a college-based department. The Department of Industrial Education at City College is deemed the most appropriate site for such transfer.

**NO. 5. COMMITTEE ON FISCAL AFFAIRS:** RESOLVED, That the following items be adopted:

A. 1976-77 COMMUNITY COLLEGE OPERATING BUDGETS:

RESOLVED, That the Board of Higher Education approve the adjusted operating budget for the community colleges, as indicated below:
EXPLANATION: The State Division of the Budget has requested a Board resolution approving the adjusted budget for the community colleges on a University basis for purposes of approving the payment of State Aid. The adjusted community college operating budget (shown in the second column) is the sum of:

1. The individual community college operating budgets as allocated for the 1976-77 Fiscal Year (shown in the first column) and

2. The budgets for the College Discovery Program, fringe benefits, University Programs and University Management, which are related to community college operations, the state aid for which is provided through the state community college aid formula.

This resolution complies with the request of the State Division of the Budget and also with Chapter 708, Section 6, Laws of 1973 of the State of New York, which permits City University Community Colleges to file for state aid as a single unit.

B. CITY UNIVERSITY 1977-78 CAPITAL BUDGET:

RESOLVED, That the Board approve a request to the City Office of Management & Budget to include funds for the following projects in the 1977-78 New York City Capital Budget as follows:

<table>
<thead>
<tr>
<th>PROJECT TITLE</th>
<th>1977-78 CAPITAL BUDGET REQUEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>HN 60 City University Staff &amp; Administrative Expenses of the Office of Facilities Planning and Management</td>
<td>$ 1,800,000</td>
</tr>
<tr>
<td>HN 191 City University, Purchase of Electronic Data Processing Equipment for Instructional Research &amp; Administrative Purposes in the Senior Colleges</td>
<td>$ 2,700,000</td>
</tr>
<tr>
<td>HN 192 City University, Purchase of Electronic Data Processing Equipment for Instructional Purposes in the Community Colleges</td>
<td>$ 263,000</td>
</tr>
<tr>
<td>HN 203A City University, Library Books, Education &amp; Office Equipment &amp; Related Costs, Senior Colleges</td>
<td>$ 5,000,000</td>
</tr>
<tr>
<td>HN 203B City University, Rehabilitation, Alterations to Existing Buildings, Senior Colleges</td>
<td>$ 3,507,100</td>
</tr>
<tr>
<td>HN 206 City University, Alterations to Existing Buildings, Campuses &amp; Equipment, Community Colleges</td>
<td>$ 1,113,000</td>
</tr>
<tr>
<td></td>
<td>$ 1,113,000s</td>
</tr>
<tr>
<td></td>
<td>$ 2,226,000</td>
</tr>
</tbody>
</table>
HN 223  City University, Purchase of Trucks & Other Heavy Automotive Equipment including Replacement Automotive Vehicles, Community Colleges $80,000
Total City Capital Funds $14,463,100
Total State Funds $1,113,000s
Grand Total - Capital Projects $15,576,100

PROJECTS OUTSIDE CERTIFICATE
City payment to the City University Construction Fund for Senior and Community Colleges $32,200,000 oc
$32,200,000 s $64,400,000
Total Capital Funds Outside Certificate $32,200,000 oc
Total State Funds $32,200,000 s
Total Projects Outside Certificate $64,400,000

EXPLANATION: The University’s 1977-78 capital budget has been constructed to fund as in the past the following capital and capital-related activities: renovations at the Senior and Community Colleges and purchase of computer equipment; purchase of education and office equipment and minor repairs at the senior colleges; purchase of library books for the senior colleges; purchase of automotive equipment for the community colleges. The 1977-78 capital budget will also be used to support certain operating costs including personnel and administrative expenses related to planning and management of facilities.

The annual payment to the Construction Fund is jointly shared by the City and State.

C. APPOINTMENT OF INVESTMENT COUNSEL:
RESOLVED, That Brundage, Story and Rose be reappointed as investment counsel for the period January 1, 1977 - June 30, 1978 for the Investment Pool, Baruch Endowment Fund, and Morton Wollman Fund at the same annual rate as last year; and be it further
RESOLVED, That Shearson Hayden Stone, Inc. be reappointed as investment counsel for the period January 1, 1977 - June 30, 1978 for the Voorhees Endowment Fund and the Silberman Scholarship Fund at the same annual rate as last year.

EXPLANATION: The Board of Higher Education uses investment counsel to provide professional assistance in managing its trusts and gifts activities.

Mr. Gault asked that the record show that the Fiscal Affairs Committee of the Board had met and interviewed both investment counsel firms, that it had reviewed their performance over a time and had requested information concerning Affirmative Action from both firms. Brundage, Story and Rose failed to provide adequate information that would present a clearer picture on the employment of women and minorities. The Committee has asked the staff to notify Brundage, Story and Rose of its concern in this area and that it would monitor the firm’s actions over the time of this appointment and that the findings of this monitoring will be factored into the consideration of the firm’s reappointment.

Mr. D’Angelo commended Mr. Gault for taking an active interest in this matter.
D. STATEMENT ON INVESTMENT POLICIES, GUIDELINES, AND PROCEDURES:

RESOLVED, That the Guidelines for University Investment Policy adopted by the Board on October, 1972 be supplemented by the following Statement on Investment Policies, Guidelines, and Procedures:

The Board of Higher Education is responsible for the investment of the following funds of the University: Silberman Fund, Baruch Fund, Wollman Fund, Voorhees Fund, and the Investment Pool. The Board believes that this responsibility is most effectively discharged by retaining outside professional investment counsel to buy and sell securities, in accordance with the investment policy and guidelines outlined below.

Investment Policy

The Investment Policy of the Board of Higher Education shall be to: (1) ensure preservation of principal, (2) ensure sufficient current income to meet the purposes provided for in the respective funds, and (3) in the context of nos. (1) and (2), maximize total return including realized and unrealized capital appreciation. The Board intends that this policy be carried out in a manner which is fully consistent with the objectives and restrictions of each of the respective funds and which is in concert with the special conditions and the social and ethical responsibilities prevailing in the educational community.

Investment Guidelines

1. At least 70% of the common stock portion (including securities convertible into common stock) of the University's investment assets at market value shall be in securities listed on the New York Stock Exchange or the American Stock Exchange.

2. Except for securities issued or guaranteed by the United States of America, the University shall not purchase the securities of any issuer if such purchase would then cause the University to have more than 10% of its investment assets at market value invested in the securities of such issuer.

3. The University shall not purchase stock (or securities convertible into stock) of any issuer if such purchase would then cause the University to own more than 1% of the outstanding voting stock, or more than 1% in value of all outstanding shares of all classes of stock, of such issuer (assuming all conversions had been made by the University).

4. The University shall not purchase securities on margin, sell short, trade in commodity futures, or purchase put and call or other option contracts.

5. Specific purchases and sales of securities inconsistent with the guidelines must be individually approved by the Fiscal Affairs Committee of the Board.

Procedures

Investment counsel shall report all purchases, sales, and other transactions to the Vice Chancellor for Budget and Planning promptly as executed, in a manner requested by the Vice Chancellor, who will provide a monthly summary of such transactions to the Committee. The Fiscal Affairs Committee shall be responsible for the selection of investment counsel, brokers and custodians for the funds and otherwise oversee the administration of the investments. Investment counsel shall meet at least three times a year with the Fiscal Affairs Committee to review performance and outlook, and to explain their current approach to investing University funds.
EXPLANATION: The Guidelines for University Investment Policy adopted by the Board on October, 1972 outline University Investment Policy in broad terms. More specific guidelines regarding the investment of funds under the jurisdiction of the Board of Higher Education are desirable.

NO. 6. COMMITTEE ON CENTRAL ADMINISTRATION: RESOLVED, That the following items be adopted:

A. BYLAW AMENDMENTS:

At the meeting of the Board held November 22, 1976, Cal. No. 5F, notice was served of proposed amendments to Article I of the bylaws of the Board clarifying the policy of the Board relating to public hearings and permitting the Board to give fuller consideration to statements made by members of the public at Board meetings.

Notice was served of proposed amendments to Article I and Article III of the bylaws of the Board which include the above proposed amendments and in addition, conform the bylaws to the Open Meetings Law (L. 1976, Ch. 511).

In accordance with bylaw provisions, the text of the bylaw amendments will be circulated ten days before the next regularly scheduled meeting of the Board.

B. ESTABLISHMENT OF RESIDENT TITLE SERIES:

The resolution was moved and seconded.

Prof. Irwin Polishook, President of the Professional Staff Congress, presented a statement for the record in support of the resolution.

The following resolution was adopted:

RESOLVED, That the following titles with rates of pay set forth be established for the period commencing with the adoption of this resolution and ending June 30, 1977 or later under applicable statutes governing employment of retirees and upon authorization by the Chancellor:

<table>
<thead>
<tr>
<th>Title</th>
<th>Rate of Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident Professor</td>
<td>$1,000 per credit hour</td>
</tr>
<tr>
<td>Resident Associate Professor</td>
<td>850 per credit hour</td>
</tr>
<tr>
<td>Resident Assistant Professor</td>
<td>700 per credit hour</td>
</tr>
<tr>
<td>Resident Instructor</td>
<td>600 per credit hour</td>
</tr>
<tr>
<td>Resident Lecturer</td>
<td>600 per credit hour</td>
</tr>
</tbody>
</table>

Those individuals eligible for appointment to or employment in these titles must be members of the instructional staff of The City University of New York, at least 55 years of age and eligible for service or age retirement, and must retire prior to the attainment of the mandatory retirement age, under the retirement system of which he/she is a member.

To be eligible to receive appointment in these titles the individual meeting the above requirements shall retire on or after February 1, 1977, and shall first exhaust retirement leave benefits under Section 3107 of the Education Law. Appointment to these titles shall be discretionary with the Board on recommendation of the college and be made only where educationally and financially advantageous to the instructional unit and college.

The title assigned to the individual shall correspond to the title held prior to retirement:
The duration of the appointment in these resident series titles shall be for a period of no more than three years but shall not in any case continue beyond the date at which an individual would have been compelled to retire under mandatory retirement age provisions of the retirement system of which he/she was a member and providing the other conditions of appointment are met.

Employees in these titles shall be members of the collective bargaining unit represented by the Professional Staff Congress/CUNY.

The conditions of such employment shall be as follows:

1. Persons holding a title in the Resident Series may teach no more than two courses during each academic year.

2. The assignment of courses shall be within the discretion of the departmental chairperson and/or other properly constituted college official.

3. The assignment of courses shall be within the range and frequency of offerings previously taught by the Resident staff member.

4. The offering of a particular course by the Resident staff member shall be subject to conditions of student enrollment and also subject to financial ability.

5. Disputes arising under the provisions of this resolution for early retirement shall be subject to the complaint provisions of the collective bargaining agreement, with an appeal permitted to the Chancellor or the Chancellor's designee.

6. An individual who accepts early retirement under this plan shall retain faculty prerogatives under the bylaws, except that no such person may serve as chairperson, in an excluded management title, or serve on a departmental personnel and budget committee or other personnel committee.

7. Acceptance of a Resident series title shall not preclude the individual from receiving benefits under the CUNY Faculty Welfare Fund to which he/she is otherwise entitled as a retiree.

EXPLANATION: In order to maintain a diversified faculty during a period of budget stringencies, the Chancellor and the PSC have agreed to encourage members of the staff to request retirement prior to the time when they would otherwise be required to retire by virtue of the mandatory age provisions of the applicable retirement systems. At the same time, the proposal enables the college to continue to receive the valuable contributions of early retirees in the areas of their specialty. The parties further have agreed to support passage of legislation to promote early payability for retirement at any age after 20 years of City service in ERS or TRS to promote early retirement and provide that ERS members who purchased prior City service credit shall have the right to apply such credit as Eligibility Credit in order to promote early retirement.

RESOLVED, That the following item was noted:
A. REVISION OF ACADEMIC ELIGIBILITY CRITERIA FOR SEEK AND COLLEGE DISCOVERY:

The resolution was moved, seconded, and failed to secure a majority, with Mr. Crowley, Mr. D'Angelo, Mrs. Everett, Mr. Maniscalco, Mrs. Michel, Mr. Robinson and Mrs. Stewart voting Yes, Mr. Gault and Dr. Goldin abstaining.

NO. 9. ACTING PRESIDENT - QUEENS COLLEGE: Tabled.

NO. 10. UNIVERSITY REPORT: The Chancellor presented the following report on matters of Board and University interest.

(a) The Commission on Postsecondary Education in New York State (Wessell Commission) has scheduled a series of hearings throughout the State. The first will be held on January 6 in New York City at the Graduate Center.

(b) The bond issue for senior college construction tentatively planned for January has been postponed by the Dormitory Authority in view of the current uncertainty over the senior colleges and the City's problems in connection with note repayment.

(c) The Chancellor reported the receipt of a grant of $420,000 by John Jay College for a program in police training and juvenile offender diversion.

Upon motions duly made, seconded and carried, the meeting was adjourned at 7 p.m.

RICHARD M. CATALANO
Secretary of the Board
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK

HELD

DECEMBER 27, 1976

AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairperson called the meeting to order at 2:14 P.M.

There were present:

Harold M. Jacobs, Chairperson
Patricia Carry Stewart, Vice-Chairperson

Walter H. Crowley
Armand D'Angelo
Edith B. Everett
Nicholas Figueroa

Ronald T. Gault
Albert V. Maniscalco
Harriet R. Michel
Emanuel R. Piore

Maynard S. Jones, ex officio

Richard M. Catalano, Secretary of the Board

Chancellor Robert J. Kibbee
Deputy Chancellor Seymour C. Hyman
Acting Vice Chancellor Egon Brenner

Vice Chancellor Anthony Knerr
Vice Chancellor J. Joseph Meng

The absence of Ms. Conway, Dr. Goldin, Mr. Maas, Mr. Olivero and Mr. Robinson was excused.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Cal. Nos. 1 and 2)

NO. 1. COMMITTEE ON EXPANDED EDUCATIONAL OPPORTUNITY: RESOLVED, That the following item be adopted:

A. REVISION OF ACADEMIC ELIGIBILITY CRITERIA FOR SEEK AND COLLEGE DISCOVERY:

The resolution was moved and seconded.

Mr. Jones moved a substitute resolution. Mrs. Michel seconded the motion. The motion was lost.

The following resolution was adopted:
RESOLVED, That the Resolution on Academic Eligibility Criteria for SEEK and College Discovery, adopted on February 23, 1976 (Calendar No. 5), is hereby amended to read as follows:

RESOLVED, That for purposes of determining eligibility a student shall be deemed "educationally disadvantaged" if he or she has received a general equivalency diploma or [in the case of current high school graduates if he or she has earned an average of less than 75 percent based on academic courses and at the completion of their eleventh year has accumulated no more than 10 academic units. Those prior graduates who have completed twelve years shall have an earned average of less than 75 and have accumulated no more than 12 academic units. The Chancellor is directed to undertake a review of the application of these criteria to make recommendations by December 1, 1976 for such changes in the criteria as he deems advisable.] has earned a high school admissions average of less than 80% or a rank in class at the 65th or lower percentile. These criteria shall be effective with the entering freshman class in the Spring of 1977.

NOTE: Matter in brackets to be deleted; matter underlined to be added.

EXPLANATION: In February 1976 the Board approved a definition of the term academic disadvantage for the purpose of determining student eligibility for the SEEK and College Discovery Programs. The application of the definition to the Fall 1976 freshman class resulted in the exclusion of numerous students who proved to be in need of substantial academic remediation. The proposed change in the definition will make eligible for the special programs more students with serious academic deficiencies and better reflect the population the programs were intended to serve.

A motion was made, seconded and carried, requesting the Committee on Expanded Educational Opportunity, in conjunction with the Chancellor, to review and assess the impact of this resolution on the SEEK and College Discovery Programs and to report to the Board no later than May, 1977.

NO. 2. ACTING PRESIDENT - QUEENS COLLEGE: RESOLVED, That Nathaniel H. Siegel be designated Acting President of Queens College effective January 1, 1977 with compensation of $13,000 per annum in addition to his academic salary, subject to financial ability.

Upon motions duly made, seconded and carried, the meeting was adjourned at 2:50 p.m.

RICHARD M. CATALANO
Secretary of the Board