MINUTES OF THE MEETING OF THE BOARD OF
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK

HELD

JUNE 28, 1982

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

The Chairperson called the meeting to order at 4:47 P.M.

There were present:

James P. Murphy, Chairperson
Edith B. Everett, Vice Chairperson

Paul P. Baard
Herman Badillo
Blanche Bernstein
Sylvia Bloom
Armand D’Angelo

Jules Kolodny
Albert V. Maniscalco
Robert L. Polk
Joaquin Rivera

Henry Wasser, ex officio
Garth Marchant, ex officio

Martin J. Warmbrand, Secretary of the Board
David B. Rigney, General Counsel & Vice Chancellor for Legal Affairs

Acting Chancellor Leon M. Goldstein
President Milton G. Bassin
President Roscoe C. Brown, Jr.
President Flora Mancuso Edwards
Acting President Israel Glasser
President Bernard W. Harleston
President Robert L. Hess
President Leonard Lief
President Gerald W. Lynch
President Harold M. Proshansky
President Kurt R. Schmeller
President Ursula Schwerin
President Joel Segall

President Donna E. Shalala
President Joseph Shenker
President Joshua L. Smith
President Richard D. Trent
President Edmond Volpe
Vice Chancellor Richard M. Catalano
Vice Chancellor Leo A. Corbie
Vice Chancellor Julius C.C.Edelstein
Vice Chancellor Donal E. Farley
Vice Chancellor Jerald Posman
Vice Chancellor Leonard O. Roellig
Etta G. Grass, Assistant Secretary of the Board

The absence of Mr. Cavanagh, Mr. Gribetz, Dr. Jacobs and Ms. Titone was excused.
A. CHANCELLOR ROBERT J. KIBBEE - MEMORIAL RESOLUTION: Upon motions duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That the Board notes with deep regret the death on June 16, 1982 of Chancellor Robert J. Kibbee and extends its profound sympathy to his family; and be it further

RESOLVED, That the Board adopts the following statement:

A great, a mighty spirit has left us. The City University will never lose his imprint, nor will the entire field of higher education fail to recall his great leadership and influence.

We who were privileged to work with him in the service of our University and our City have been enriched by him beyond measure.

The University itself is his legacy to the City and State. Without him, CUNY would no longer exist. He held it together by the sheer force of his courage, integrity and dedication to its central idea and mission.

He was not only an educator; he was a champion of quality education and of the equal right of all to full educational access and opportunity for education.

He earned and held not only the respect of the Board and the University community but also and above all its abiding love.

B. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - NAMING OF THE ROBERT J. KIBBEE STUDENT LOUNGE: Upon motions duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That the fourth floor student lounge located at the new Battery Park campus of Borough of Manhattan Community College be named The Robert J. Kibbee Student Lounge.

EXPLANATION: Robert J. Kibbee served the College and The City University of New York unselfishly as Chancellor for over ten years. His tireless support for the College and commitment to its mission has been especially appreciated by the entire Borough of Manhattan College Community. The Faculty, Student Councils, and administration of the College, by their unanimous votes, expressed their feeling that the quiet and understated design of the lounge overlooking the Hudson River would be a fitting tribute to their Friend.

C. CHANCELLOR-DESIGNATE JOSEPH S. MURPHY: The Chairperson reported that at a special session on June 22, 1982 the Board had elected Dr. Joseph S. Murphy as the new Chancellor of the University. Dr. Murphy will take office on September 15.

D. ACTING CHANCELLOR LEON M. GOLDSTEIN: The Chairperson announced that on June 22, the Board had also appointed the Acting Deputy Chancellor, Leon Goldstein, who is on leave from his position of President of Kingsborough Community College, as Acting Chancellor, effective immediately until such time as Dr. Murphy assumes his duties. The Chairperson stated that the Acting Chancellor was a pillar of strength and a tireless and effective steward, particularly in the closing months of Chancellor Kibbee's final illness, and expressed his conviction that Acting Chancellor Goldstein would lead the University very energetically during the difficult transition period which is also a period when the University must continue to move forward.
The Acting Chancellor thanked every member of the Board, the Presidents, and members of the Central Administration for the help given him during the past year and indicated that he is greatly honored to serve as Acting Chancellor. He stated that he is a product of The City University system, having received his Associate in Applied Science degree, his baccalaureate degree and master’s degree at CUNY, and characterized the University as one of the greatest in the country.

At this point Mr. Badillo joined the meeting.

E. ROGER W. MOORHUS - MEMORIAL RESOLUTION: Upon motions duly made, seconded and carried, the following resolution was adopted:

WHEREAS, Roger W. Moorhus, Professor of History and Associate Dean of Faculty at The College of Staten Island of The City University of New York, served the University from his appointment to the faculty in 1967 to his untimely death at the age of 41; and

WHEREAS, He made extraordinary contributions as a teacher and mentor to his undergraduate students; and

WHEREAS, His was a significant influence in the administration of the College; and

WHEREAS, He was creative and diligent in areas of curricular reform and development and was widely respected for his skillful leadership; and

WHEREAS, His sound judgment, his fairness, his perspective, his wit, and his understanding are remembered by his colleagues with deep affection; therefore be it

RESOLVED, That the Board of Trustees expresses its deep appreciation for so fine a teacher and dean and extends its sincere sympathy to his bereaved family.

F. HONORS: (1) President Bernard W. Harleston: The Chairperson reported that President Bernard W. Harleston of The City College has been elected for a five-year term beginning July 1, 1982 to the Massachusetts Institute of Technology Corporation, the governing body of MIT, and congratulated President Harleston on this honor.

At this point Mr. Baard joined the meeting.

(2) Professor Arthur M. Schlesinger, Jr: The Chairperson reported that Professor Arthur M. Schlesinger, Jr., Albert Schweitzer Professor of the Humanities at the Graduate School and University Center, has been elected president of the American Academy of Arts and Letters, the fifty-member inner body of the American Academy and Institute of Arts and Letters. He asked President Proshansky to express the Board’s congratulations to Professor Schlesinger.

G. GRANTS: (1) The City College: The Chairperson announced that the Josiah Macy, Jr. Foundation has made a grant of $2.6 million to A. Phillip Randolph High School for the Macy Medical Professions Program. A. Phillip Randolph is a city high school located on the campus of The City College. The Macy Medical Professions Program is one of three high school demonstration projects offering special opportunities for minority youngsters wishing to pursue medical careers. Each year of the four-year grant 100 students who have been recruited from schools in low income areas will be enrolled. The Project Director is Dr. Morton Slater, Dean of Admissions at the Sophie Davis School of Biomedical Science at The City College. The grant supports academic offerings and guidance services supplementing those usually provided in city high schools. The tutorial and guidance programs will utilize students and faculty of The City College Biomedical program.
(2) Hunter College: The Chairperson reported that Hunter College has received a grant of $200,000 from an anonymous donor for a private sector summer employment program for 200 junior students from Prospect Heights, Jackson, Julia Richman and Taft High Schools. President Shalala stated that the name of the donor would be made public at a press conference in a few weeks.

(3) York College: The Chairperson reported that York College has received an award from the National Institutes of Health in the amount of $1,236,350 effective June 1, 1982. This is the third time York has received a grant under the auspices of the Minority Biomedical Support Program. York's initial award, granted in 1976, was the first given to a college in the Northeast.

H. FEDERAL FINANCIAL AID TO STUDENTS: The Chairperson presented the following report on Federal financial aid to students:

Although the fight over Federal financial aid for students is continuing, we have had some success in the current budget battle. The Congress has heard our voice. CUNY's efforts, independently and in conjunction with the higher education community, have so far yielded some progress.

The Pell Grant allocation was raised in the Budget Resolution that was recently approved by Congress and signed by the President. As that resolution is interpreted by the Senate, an increase of $110 million is called for, which would raise the total allocation for Pell Grants to $2.3 billion for the 1983-84 academic year. The Pell Grant program was the only higher education program that was increased beyond current funding levels.

Campus-based student aid, which is vitally important to CUNY and which the Executive Branch had sought to slash, is slated to retain its current funding levels.

In all, need-based student aid programs would receive $1.5 billion above the President's initial request last fall.

The Budget Resolution apparently does call for a $59 million reduction in the Guaranteed Student Loan program.

This reduction is based on an extension of the needs test to all income levels. (Needs testing has been used in the past only for the upper end of the income scale.) However, there is no specific instruction in the Budget Resolution that the needs test be extended in this manner. Consequently, the funding level for GSL's remains in doubt.

Indeed, all of the Budget Resolution's figures have a foundation of quicksand. Republican lawmakers used their own figures, rather than those of the Congressional Budget Office, in drawing the resolution. Now, as the funding process is returned to the appropriations committees, the Congressional Budget Office's estimate of Federal income and expenditures will have to be used. Any increased spending could be wiped out, or, in the end, may stick.

CUNY and the higher education community have done well thus far. Much more still will need to be done.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 9).

NO. 1 UNIVERSITY REPORT: RESOLVED, That the University Report for June 28, 1982 (including Addendum Items) be approved as amended as follows:

(a) Item B1, 10.2, Appointment with Tenure (Baruch College): Withdraw the name of Harry M. Markowitz.

(b) Item B1, 15.1, Administrative Designation (Borough of Manhattan Community College): Delete the first two names and the corresponding Errata Entries.
(c) PART D - ADDENDUM:


Item D.10. City College - Reappointment with Early Tenure: Change salary of June J. Christmas to $68,537/A.

Add the following items to the Addendum:

D.13. John Jay College of Criminal Justice - Appointment (Annual Salary of $15,000 and Above) - Approved by the Office of Faculty and Staff Relations:

<table>
<thead>
<tr>
<th>Department, Title, Name</th>
<th>Effective</th>
<th>Salary Rate</th>
<th>Bylaw Section</th>
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<tr>
<td>Office of the Director of Governmental and Community Affairs</td>
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<td>11.14.B</td>
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<tr>
<td>Assistant to HEO (Executive Assistant to the Director) Jane Theile(2,5)</td>
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<td></td>
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</tbody>
</table>

D.14. Queens College - Uniformed Guard Service, Increase in Contract Amount: RESOLVED, That the Board of Trustees of The City University of New York approve an increase of $82,645.25 in the amount of contract number N128089 with Burns International Security Services, Inc., 97-77 Queens Boulevard, Forest Hills, New York 11374, for Uniformed Guard Service as required by Queens College for the period July 1, 1981 to June 30, 1982; said increase to be charged to code 2-120-01-400.

EXPLANATION: The increase represents an estimated 12,065 additional hours the college will need for fiscal year 82; said hours at a rate of $6.85 per hour. (See B.T. Cal. No. 4C, 3/23/81 for original approval.)

D.15. Queens College - Contract for CRT Terminals (1982-1983): RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Queens College to advertise for, receive and open bids and award contract to the lowest responsible bidder for the purchase of 120 CRT Terminals for the Academic Computer Center, Queens College, at a total estimated cost of $64,800 chargeable to Code 2-212-01-300 and/or such other funds as may be available, subject to financial ability. (See also B.H.E. Cal. No. 2(b), 4/10/84.)

EXPLANATION: These terminals will be installed in centralized instructional facilities at Queens College. They will be used primarily by students to access both on and off campus computers including the new NAS Model 5000 and the University Computer Center at 57th Street.

This resolution has the approval of the Vice Chancellor for University Systems.

D.16. Queens College - Contract for Electronic Switching System (1982-1983): RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Queens College to advertise for, receive and open bids and award contract to the lowest responsible bidder for the acquisition of an Electronic Switching System for the Queens College Computer Network at a purchase price not to exceed $85,000 or on a two year lease purchase basis at an estimated cost of $49,800 per year including maintenance, chargeable to Code 2-212-01-300 or 521, respectively, and/or such other funds as may be available, subject to financial ability. (See also B.H.E. Cal. No 2(b), 4/20/64.)

EXPLANATION: The electronic switching system will allow students and faculty using up to 200 computer terminals to access any of up to 10 host computers. This system will permit maximum utilization to be achieved for all installed terminals. Access will be provided through the switching system to the University Computer Center's computer system and Queens' NAS 5000, Prime 550, SIGMA 6/7 and any other computer system or network as necessary.

This resolution has the approval of the Vice Chancellor for University Systems.
D.17. Central Office - Appointment (Annual Salary of $15,000 and Above):

<table>
<thead>
<tr>
<th>Department and Title</th>
<th>Name</th>
<th>Effective</th>
<th>Rate</th>
</tr>
</thead>
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<td>Reprographics</td>
<td>James Blount(20)</td>
<td>7/1/81-8/31/81</td>
<td>$16,091/A</td>
</tr>
</tbody>
</table>

D.18. Graduate School and University Center - Appointment with Tenure: RESOLVED, That Dr. Joseph S. Murphy be appointed Professor of Political Science at The Graduate School and University Center with tenure, effective September 15, 1982.

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

EXPLANATION: The University Report consists of annual instructional appointments at a salary of $15,000 and above and other resolutions of a non-policy nature which require approval by the Board of Trustees.

NO. 2. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for June 28, 1982 (including Addendum Items) be approved, as amended as follows:

(a) Item Bl. 1.4. Reappointment (Annual Salary Basis) (The Central Office):

1. Withdraw the name of Gerald Anello, Asst. to HEO (Fin Aid Asst/Fiscal Dir), University Accounting.

2. Change the effective date of Andre Mendell, HEa (Sr Financial Analyst), University Budget, to 7/1/82-6/30/87.

3. Change the effective date of Rudolph Lobou(21), HEO (Asst. Director-Student Sys), Management Information Systems, to 7/1/82-6/30/88.

(b) Item CI 4.1. Furnishing and Delivering 16 Port Statistical Multiplexor-Computer Center (Brooklyn College):
In title, line 3 (RESOLVED section) and line 1 (EXPLANATION), 16 is changed to 32. In line 4 (RESOLVED section), $10,000 is changed to $12,000.

(c) PART D - ADDENDUM:

D.8. Queensborough Community College - Cooperation Program with Local High Schools - Tuition and Application Fee Waiver: Withdrawn.

Add the following items to the Addendum:

D. 10. Queens College - Maintenance to LIBS 100 Circulation System, Contract Renewal (1982-1983): RESOLVED, That the Board of Trustees of The City University of New York approve the estimated expenditure of $20,000 for the renewal of contract number N128088 with C.L.Systems, Inc., 81 Norwood Avenue, Newtonville, MA 02160, for maintenance to a LIBS 100 Circulation System in the Paul Klapper Library, Queens College, for the period July 1, 1982 to June 30,1983 chargeable to Code 2-455-01-405 and/or such other funds as may be available, subject to financial ability.

EXPLANATION: Pursuant to the terms of the contract, the college opts to renew the agreement for the first year of a three-year renewal option. Maintenance affords the college a means of obtaining maximum effective equipment performance and priority service. (See B.T. Cal. No. 2, 6/22/81, for original approval.)
D. 11. Queens College - Envelopes Contract: RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Queens College to advertise for, receive and open bids and award contract to the lowest responsible bidder for the purchase of approximately 1187M envelopes, plain and printed, for Campus Distribution Center - Central Receiving, Queens College, at a total estimated cost of $11,500 chargeable to Code 2-341-01-200 and/or such funds as may be available, subject to financial ability. (See also B.H.E. Cal. No. 2(b) 4/20/64.)

EXPLANATION: Envelopes are a necessary and required stock item for Campus Distribution Center to fill the 1983 fiscal year requirements of all academic and administrative departments, and special programs at the college.

D. 12. Queens College - Contract for Mark Sense Card Readers (1982-1983): RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Queens College to advertise for, receive and open bids and award contract to the lowest responsible bidder for the acquisition of 25 Mark Sense Card Readers at a total estimated cost of $20,000 chargeable to Code 2-215-01-300 and/or such other funds as may be available, subject to financial ability. (See also B.H.E. Cal. No. 2(b), 4/20/64.)

EXPLANATION: These devices are required for the Queens College on-line registration process. They will replace the existing IBM 2956 OMR devices.

This resolution has the approval of the Vice Chancellor for University Systems.

D. 13. Queens College - Contract for Bell & Howell Microfiche Camera Equipment (1982-1983): RESOLVED, That in the interest of efficiency, economy, and standardization the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Queens College to advertise for, receive and open bids and award contract to the lowest responsible bidder for the acquisition of one (1) each of the following Bell & Howell Microfiche Equipment: ABR-100A Console Recorder (32X), ABR-415 Automaster (Jacket Reader/Filler), and ABR-504/505T Vesicular Printer/Processor, for the Business Office, Queens College, at a total estimated cost of $19,000 chargeable to Code 2-120-01-300 and/or such other funds as may be available. (See also B.H.E. Cal. No. 2(b), 4/20/64.)

EXPLANATION: Queens College requires camera equipment for the conversion of Bursar, Registrar and Financial Aid documents to microfiche jackets and roll film. Bell & Howell, in addition to its compatibility with existing equipment, has the required features, such as automatic feeder, record dual-sided documents of variable sizes, the capability of allowing separate departments to use the equipment without intermixing records or systems, and recording via a planetary camera, which the college needs.

D. 14. Queens College - Contract for Asynchronous Communication Multiplexors (1982-1983): RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Queens College to advertise for, receive and open bids, and award contract to the lowest responsible bidder for the acquisition of four (4) Computer Multiplexors to interface to the Queens College Electronic Switching Network, Computer Center, Queens College, at a purchase price not to exceed $32,000 or on a two-year lease purchase basis at an estimated cost of $18,000 per year including maintenance, chargeable to Code 2-212-01-300 or 521 respectively, and/or such other funds as may be available, subject to financial ability. (See also B.H.E. Cal. No. 2(b), 4/20/64.)

EXPLANATION: The multiplexors will interface as many as 128 asynchronous communications devices at up to 9.6 KB, and provide a communications link of up to 19.2 KB, compatible with the Queens College Electronic Switching System. The equipment will be distributed around the college campus to reduce wiring costs and increase reliability of electronic communications.

This resolution has the approval of the Vice Chancellor for University Systems.
D.15. The City College - Authorized Signatures: RESOLVED, That Bernard W. Harleston, President, be authorized to sign checks and withdrawal requests for The City College for tax levy and instructional and non-instructional fee accounts, savings accounts and others; and be it further

RESOLVED, That two authorized signatures are required for amounts in excess of $2,500; and be it further

RESOLVED, That the name of Morton F. Kaplon be removed as signatory to all City College accounts as listed above.

D.16. Central Office - Appointment (Annual Salary of Less Than $15,000):

<table>
<thead>
<tr>
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<td>Reprographics</td>
<td>Gregory Robinson(20)</td>
<td>7/1/81-8/31/81</td>
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<td>College Lab Tech</td>
<td>Ernest Robinson(20)</td>
<td>7/1/81-8/31/81</td>
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<td>Ctr. for Puerto Rican Studies Research Assistant</td>
<td>Zunilda Lopez(20)</td>
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D.17. Central Office - Reappointment (Annual Salary Basis):

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<td>James Blount(20)</td>
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<td>Ctr. for Puerto Rican Studies Research Assistant</td>
<td>Zunilda Lopez(20)</td>
<td>9/1/82-8/31/83</td>
<td>$19,714/A</td>
</tr>
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D.18. Supplementary Allocation for City University Special Projects Fund: RESOLVED, That the Board of Trustees authorize an additional allocation of $8,000 to the 1981-82 City University Special Projects Fund for a total of $88,000 for the year.

EXPLANATION: Expenditures in connection with the activities of the Chancellor’s Search Committee exceeded projected costs. The existing allocation of $26,000 is insufficient to pay all expenses incurred by the Committee.

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

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

NO. 3. APPROVAL OF MINUTES: The Chairperson called attention to the fact that the minutes of the April meeting have been amended to indicate that Mr. Badillo did not vote on the Student Activity Fee item and that Mr. Murphy cast the ninth affirmative vote.

The following resolution was adopted:

RESOLVED, That the minutes of the Board meeting of May 24, 1982 and of the executive session of May 24, 1982 be approved as circulated.
Minutes of Proceedings, June 28, 1982

NO. 4. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT AND CONTRACT REVIEW: RESOLVED, That the following items be approved:

A. QUEENS COLLEGE - SCIENCE BUILDING:

The resolution was moved and seconded.

Mr. Marchant raised a question as to the possibility of including preferential treatment in the bidding of these contracts for minority contractors. It was pointed out that this arrangement is limited to three colleges of the University by virtue of special legislation, and it would be illegal to expand this under existing regulations to include Queens. Mr. Marchant requested that the Board adopt a resolution expressing its intent to expand this procedure to include Queens College. It was agreed that the Committee on Public Policy and External Relations and the City University Construction Fund would be asked to look into the matter of recommending such legislation and report back to the Board.

The following resolution was adopted:

RESOLVED, That the Board of Trustees approve final plans and specifications and cost estimate of $33,468,000 for construction of the New Queens College Science Building, as prepared by Davis and Brody, Architects; and be it further

RESOLVED, That The City University Construction Fund be requested to accept the aforesaid contract documents and request the Dormitory Authority to proceed to advertise and award contracts for the work.

EXPLANATION: On April 26, 1976 (Cal. No. 11.B) the Board approved final bidding documents for a new Science Facility for Queens College. However, because of the lack of available financing, construction of this project (as well as several others) was indefinitely deferred.

Following a gradual period of fiscal improvement and the restart of a number of other projects, which had been suspended in mid-construction, the Queens Science Building was authorized for construction in the 1981-82 State Budget and Dormitory Authority financing was completed in March.

On April 26, 1982 (Cal. 4A), the Board approved contract documents, etc. for construction of a parking field which will replace a present lot on which the new building will be constructed. Bids were received on May 7, 1982 and the Dormitory Authority is proceeding to award contracts totalling $532,000 for this work.

The proposed New Science Building is a three story concrete structure with a partial basement. The facility will contain 136,360 net assignable square feet of space in a building area of 225,000 gross square feet. It will provide instructional laboratories, research space and services and faculty offices for the following disciplines: Biology, Chemistry, Earth and Environmental Sciences, Physics and Psychology. The building will also contain four - 120 seat lecture halls, which will be scheduled for college-wide use.

B. BROOKLYN COLLEGE - ROOFING REHABILITATION:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents as prepared by the Rice Partnership and authorize the Office of Facilities Planning and Management to advertise, bid and award contracts to the lowest responsible bidder for furnishing all labor, materials and equipment required for roofing rehabilitation work at Brooklyn College, at an estimated cost of $1,700,000, chargeable to the State Capital Construction Fund.

EXPLANATION: The work consists of roof rehabilitation of Boylan, Ingersoll and Roosevelt Halls at Brooklyn College. The project is estimated at $1,700,000 which includes construction contingencies and escalation to bid date.
C. THE CITY COLLEGE - SCIENCE AND PHYSICAL EDUCATION BUILDING, WINDSCREENS AND TENNIS COURT FENCING:

RESOLVED, That the Board of Trustees approve the contract documents as prepared by the Office of Facilities Planning and Management and authorize said office to advertise, bid and award the contract to the lowest responsible bidder for the installation of windscreens and tennis court fencing on the plaza of the Science and Physical Education Building at City College at an estimated cost of $138,000, chargeable to the State Capital Construction Fund.

EXPLANATION: The College's only tennis courts were lost due to the construction of Davis Hall. The plaza deck of the Science and Physical Education Building has been developed with tennis courts. However, in order to permit effective use of these courts, it is necessary that fencing and windscreens be provided.

D. HUNTER, CITY, JOHN JAY AND LEHMAN COLLEGES - ALTERATION PROJECTS:

RESOLVED, That the Board of Trustees of The City University of New York approve a service contract with the firm of Pomerance and Breines, Architects for architectural and engineering services for the design and supervision of construction of various alteration projects at Hunter, City, John Jay and Lehman Colleges at a fee not to exceed $197,919, chargeable to the State Capital Construction Fund.

EXPLANATION: In order to implement the University's 1982-83 Capital Construction program at Hunter, City, John Jay and Lehman Colleges, the firm now proposed was selected in accordance with procedures established by The City University to provide design and supervision of construction services for the rehabilitation projects (which have an aggregate estimated construction cost of $1,095,000).

The projects consist of:

HUNTER COLLEGE:
1. Create additional office space - West Building Brookdale Health Center (HU 761-082).

CITY COLLEGE:
1. Repair bi-level apse entrance - Shepard Hall (CC 767-082)

JOHN JAY COLLEGE:
1. Replace broken sidewalk around building perimeter (JJ 718-082).
2. Replace exit doors and frames (JJ 719-082).

LEHMAN COLLEGE:
1. New roof and insulation - Davis Hall (LM 739-082).
2. Replace existing guard booths for four (4) parking areas and three (3) access gates (LM 742-082).
E. BARUCH AND BROOKLYN COLLEGES AND COLLEGE OF STATEN ISLAND - ALTERATION PROJECTS:

RESOLVED, That the Board of Trustees of The City University of New York approve a service contract with the firm of Wank, Adams & Slavin Associates for architectural and engineering services for the design and supervision of construction of various alteration projects at Baruch and Brooklyn Colleges and at The College of Staten Island at a fee not to exceed $206,703, chargeable to the State Capital Construction Fund.

EXPLANATION: In order to implement the University's 1982-83 Capital Construction program at Baruch, Brooklyn, and The College of Staten Island, the firm now proposed was selected in accordance with procedures established by The City University to provide design and supervision of construction services for the rehabilitation projects (which have an aggregate estimated construction cost of $1,077,370).

The projects consist of:

BARUCH COLLEGE:
1. Roof replacement over Library area 155 East 24th Street (BA 708.082).
3. Replace Auditorium Balcony and Gym Gallery seating - 17 Lexington (BA 731.082).

BROOKLYN COLLEGE
1. Window Replacement - LaGuardia Hall (BY 733-082).
2. Repair of Physical Education Facilities - Plaza/Roosevelt (BY 775.082).
3. Various locations around Campus - remove and replace fences - (BY 802.082).
4. Heat rejection system - Ingersoll Hall (BY 911-082).

THE COLLEGE OF STATEN ISLAND:
1. Rehabilitate public toilets - Sunnyside Campus (ST 741.082).
2. Fire door replacement around Campus - (ST 748-082).
3. New Exterior Drainage piping and storm sewers to prevent flooding and ponding - Sunnyside Campus (ST 754-082).

F. HOSTOS, BRONX, LAGUARDIA, MEDGAR EVERS AND QUEENSBOROUGH COMMUNITY COLLEGES - ALTERATION PROJECTS:

RESOLVED, That the Board of Trustees of The City University New York approve a service contract with the firm of Beyer, Blinder, Belle, Architects and Planners for architectural and engineering services for the design and supervision of construction of various alteration projects at Hostos, Bronx, LaGuardia, Medgar Evers and Queensborough Community Colleges at a fee not to exceed $209,584, chargeable to Capital Project Nos. HN-206 and HN-233; and be it further

RESOLVED, That the Director of Management and Budget be requested to approve said contract; and be it further

RESOLVED, That the Board of Estimate be and is hereby requested to approve said contract.
EXPLANATION: In order to implement the University's 1982-83 Capital Construction program at Hostos, Bronx, LaGuardia, Medgar Evers and Queensborough Community Colleges, the firm now proposed was selected in accordance with procedures established by The City University to provide design and supervision of construction services for the rehabilitation projects (which have an aggregate estimated construction cost of $1,041,000).

The projects consist of:

HOSTOS COMMUNITY COLLEGE:
1. Rehabilitation of roof equipment - penthouse bulkhead and cooling tower (HS723-082).

BRONX COMMUNITY COLLEGE:
1. Renovation of second floor - Sage (BX 774-082).
2. Upgrade Ohio Field and running track (BX804-082).

LAGUARDIA COMMUNITY COLLEGE:
1. Resurface of second floor roof parapet and elevator repair (LG 729-082).
2. Replacement of Sprinkler system and installation of fire pump (LG 731-082).

MEDGAR EVERS COLLEGE:
1. Replace windows - Wing 'B' (ME 723-082).
2. Resurface of Roof - Wing 'C' and insulation of exterior ductwork (ME 726-082).

QUEENSBOROUGH COMMUNITY COLLEGE:
1. Emergency lighting (QB920-082).
2. Exterior lighting (QB 921-082).
3. Internal security alarm system (QB 923-082).

G. BARUCH, YORK AND JOHN JAY COLLEGES - ENGINEERING SERVICES:
RESOLVED, That the Board of Trustees of The City University of New York approve a service contract with the firm of Syska and Hennessy, Engineers for engineering services for the design and supervision of construction of various projects at Baruch College, York College and John Jay College at a fee not to exceed $176,345 chargeable to the State Capital Construction Fund.

EXPLANATION: In order to implement the University's 1982-83 Capital Construction program at Baruch, York and John Jay Colleges the firm now proposed was selected in accordance with procedures established by The City University to provide design and supervision of construction services for the rehabilitation projects (which have an aggregate estimated construction cost of $1,105,000).

The projects consist of:

BARUCH COLLEGE:
Conversion of Manual Elevators to Automatic Operation - 17 Lexington Ave. (BA910)
YORK COLLEGE
Energy Management System-Science & Classroom Building. (YC916)

Emergency Lighting - Campuswide. (YC917)

Installation of Variable Dampers in HVAC System-Main and Science Buildings. (YC911)

JOHN JAY COLLEGE:
Fire protection library. (JJ902)

New Halon System for Computer Room. (JJ907)

Recapture Condensate - 445 West 59th Street. (JJ909)

H. BARUCH COLLEGE - ALTERATION PROJECTS:

RESOLVED, That the Board of Trustees of The City University of New York approve a service contract with the firm of Justin Architects for architectural and engineering services for the design and supervision of construction of various alteration projects at Baruch College at a fee not to exceed $48,000, chargeable to the State Capital Construction Fund.

EXPLANATION: In order to implement the University’s 1982-83 Capital Construction Program at Baruch College, the firm now proposed was selected to continue its work into this next phase from the previous fiscal year’s program for the rehabilitation projects as follows (which have an aggregate estimated construction cost of $450,000):

17 Lexington Avenue Building
1. Replacement of obsolete windows - Phase III (BA742-982).

2. Rehabilitation of toilet facilities including new toilet fixtures, tile, partition work and lighting. Phase II (BA746-982).

I. HOSTOS COMMUNITY COLLEGE - RENOVATIONS:

RESOLVED, That the Board of Trustees of The City University of New York approve a service contract with the firm of Montoya-Rodriguez for a feasibility study for renovating and altering 475 Grand Concourse, Bronx, for the Hostos Community College; the proposed feasibility study will include an analysis of space needs, a report on the architectural and mechanical condition of the building, the development of a facility improvement plan, a cost estimate of each category of work, and a construction phasing schedule; and be it further

RESOLVED, That The City University Construction Fund be requested to authorize the Dormitory Authority of the State of New York to enter into a contract for said feasibility study.

EXPLANATION: The 1982-83 State Budget includes an authorization for the Dormitory Authority to finance the planning of the renovation and alteration of an existing facility of Hostos Community College.

The altered facility will include 49,830 net assignable square feet of space, and will provide classrooms, tutorial areas, student activity spaces, and offices, in a building which will be upgraded structurally, mechanically and aesthetically.

The architectural firm now proposed was selected from among eight interviewed in accordance with procedures established by The City University and has been approved by the President of Hostos Community College. Said consultant is expected to complete the project within four (4) months at a fee not to exceed $75,000.
J. THE CENTRAL OFFICE - LEASE/PURCHASE OF TELEPHONE SYSTEM:

RESOLVED, That the Board of Trustees of The City University of New York approve the specification and contract documents and authorize the Central Office to advertise for, receive and open bids and award contract to the lowest responsible bidder for the lease/purchase of a telephone system for the Office of Admissions Services at a total estimated cost of $177,000, to be paid over a sixty month period, provided that funds are available, chargeable to Code 7000-176-8201-865-2: 21350 13 00 in FY 1982 and such codes as appropriate in future fiscal years.

EXPLANATION: In a continuing program to reduce telephone cost expenditures, the University has determined that it would be more economical to acquire a telephone system for the Office of Admission Services than to continue use of leased equipment from the New York Telephone Company.

K. MEDGAR EVERS COLLEGE - SITE ACQUISITION:

RESOLVED, That the Board approve the acquisition of Block 1294, Borough of Brooklyn, bounded by Bedford Avenue, Montgomery Street, Franklin Avenue and Crown Street as a site for a new facility for Medgar Evers College at a cost not to exceed $750,000; and be it further

RESOLVED, That The City University Construction Fund be requested to concur in the afore indicated acquisition cost; and be it further

RESOLVED, That the New York State Dormitory Authority be advised of these actions and be requested to proceed with the acquisition of the indicated site.

EXPLANATION: On June 22, 1981 (Calendar 4.0) the Board approved the selection of the above indicated Block as a site for a new facility for Medgar Evers College.

A Dormitory Authority bond sale planned for this summer will provide funds for acquisition of the site as well as for design of the new building.

The Lease Agreement among The City University, The City University Construction Fund and the Dormitory Authority requires that the University and Fund recommend an acquisition cost to the Authority. The Committee on Facilities Planning and Management and Contract Review has reviewed this matter with the Vice Chancellor for Facilities Planning and Management and recommends that the Board approve an acquisition cost not to exceed $750,000.

L. QUEENS COLLEGE - SITE ACQUISITION:

RESOLVED, That the Board of Trustees of The City University of New York approve the selection of the building and site of Junior High School 218, Queens, as an addition to the campus of Queens College; and be it further

RESOLVED, That the Board of Estimate be requested to assign said building and site to The City University.

EXPLANATION: The Board of Education has indicated its intent to close JHS 218, Queens, as of June 30, 1982.

The school building was constructed in 1956 and is located on a site contiguous to the Queens College campus. Acquisition and alteration of the building would permit the College to house on campus The City University Law School as well as permit the abandonment and demolition of several temporary and deteriorated facilities which would be demolished.
M. HOSTOS COMMUNITY COLLEGE - RENTAL OF SPACE:

RESOLVED, That the Board approve the five-year rental of approximately 20,000 square feet of space constituting the entire building known as 460 Grand Concourse, Borough of the Bronx, for use by Hostos Community College; and be it further

RESOLVED, That the Board request the Assistant Commissioner, Department of General Services, Division of Public Structures to execute the aforesaid lease.

EXPLANATION: 460 Grand Concourse is adjacent to Hostos Community College's existing facilities. The subject building will provide the college with swing space during the forthcoming renovations to the recently purchased building at 475 Grand Concourse.

The Department of General Services, Division of Public Structures has negotiated a lease for the subject premises for a five year period from date of occupancy at an annual rental cost of $90,000 ($4.50/S.F.) The proposed lease will be on a net/net basis with all services being provided and paid for by the college.

N. NEW YORK CITY TECHNICAL COLLEGE - RENTAL OF SPACE:

RESOLVED, That the Board approve a ten-year rental of space, at an average annual cost not to exceed $500,000, to be used by New York City Technical College; and be it further

RESOLVED, That the Chancellor's Office, in consultation with the President of the College, be authorized to negotiate a lease for said space at either 250 Jay Street or at 40 Flatbush Avenue Extension, Brooklyn; and be it further

RESOLVED, That the Board authorize the Secretary of the Board of Trustees to sign the appropriate lease document after it has been approved by the General Counsel and Vice Chancellor for Legal Affairs.

EXPLANATION: New York City Technical College needs additional space to relieve the current severe overcrowding on the Brooklyn campus caused, in part, by the release of other rental spaces and the drawing in of some academic programs from the Voorhees Campus. The new space will provide the college with classrooms, faculty and staff offices and a student lounge.

Two different facilities are currently being considered for use by the College. At 250 Jay Street, the landlord has agreed to rent 25,000 square feet of space for ten years from date of occupancy at an annual rental of $500,000 ($20/S.F.). The landlord will renovate approximately 15,000 square feet of existing space and construct an additional 10,000 square feet all in accordance with plans and specifications approved by the college.

The landlord will provide janitorial and cleaning services as per tenant's specifications. The University will reimburse the landlord for these services on a direct pass through basis as specified in the lease. The University will also be responsible for payment of utilities, fuel, real estate taxes and water and sewer charges.

The landlord will be responsible for structural repairs, repairs of roof and repairs of the heating, ventilating and air conditioning systems. The University will have the option of canceling the lease with one year's prior written notice.

At 40 Flatbush Avenue Extension, the landlord has agreed to rent 35,000 square feet of space for ten years from date of occupancy at an annual rental of $787,500 ($22.50/S.F.) for the first five years and $227,500 ($6.50/S.F.) for the second five years. The higher cost during the initial five years reflects the amortization of the required tenant improvements. The average annual cost over the entire ten years is $507,500 ($14.50/S.F.). Included in the base annual rental are janitorial and cleaning services which the landlord will provide as per tenant's specification.

In order to secure the best possible deal negotiations will have to be continued into the summer. The adoption of this resolution will allow the University to enter into a lease with the landlord providing the most advantageous situation.
O. AGREEMENT OF LEASE - SUBORDINATED COMMUNITY COLLEGE ISSUE:

RESOLVED, That the form and substance of the proposed Agreement of Lease, dated as of June 15, 1982, which documents bear title pages which read: "DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND CITY UNIVERSITY CONSTRUCTION FUND AND THE CITY UNIVERSITY OF NEW YORK-AGREEMENT OF LEASE DATED AS OF JUNE 15, 1982 (SUBORDINATED COMMUNITY COLLEGE ISSUE)," is hereby approved; the Chairman of the Board of Trustees is hereby authorized and directed to execute such Agreement of Lease and to cause the seal of the Board to be affixed thereto; and the Secretary of the Board 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 Agreement of Lease, changes, insertions and omissions may be made to such Agreement of Lease as may be approved by the Chairman of the Board, and the execution by said Chairman of such Agreement of Lease containing such changes, insertions and omissions, and the attestation by the Secretary of the Board, shall be conclusive evidence of such approval; and be it further

RESOLVED, That: (1) The Chairman of the Board of Trustees shall, subject to the satisfaction of the conditions set forth in paragraphs (2) and (3) below, be authorized either to:

(A) Execute and cause the seal of the Board to be affixed to a Supplemental Agreement to the aforesaid Agreement of Lease which provides for the payment by The City University Construction Fund (the "Fund") to the Dormitory Authority of the State of New York (the "Dormitory Authority"), as an additional item of annual rental, of amounts to establish a special reserve fund to be held by the Dormitory Authority, provided, however, that such payments shall be made only with respect to amounts which become payable in the future into such special reserve fund, and not for any amounts previously charged to the Fund by the Dormitory Authority with respect thereto; or

(B) Execute and cause the seal of the Board to be affixed to the aforesaid Agreement of Lease which shall be modified so as to contain a provision relating to the special reserve fund as provided in subparagraph (A) above; and

(2) That the authority conferred under paragraph (1) above shall be conditioned upon the receipt by the Fund of an approving opinion of the Attorney General of the State of New York as to the authority of the Fund to make, and the authority of the Dormitory Authority to receive and apply, such additional rental payment, consistent with, among other things, the provisions of the Public Authorities Law, the Education Law and the State Constitution, including, without limitation, any prohibition on the utilization of public funds for private purposes; and

(3) The authority conferred under paragraph (1) above shall be further conditioned upon the waiver by the Dormitory Authority of any liability of the Fund with respect to all amounts previously charged to the Fund by the Dormitory Authority with respect to the establishment of a special reserve fund.

EXPLANATION: It has been determined that certain statutory changes enacted in recent years require that bonds sold by the Dormitory Authority for new CUNY community college facilities be issued pursuant to a new Agreement of Lease among the Authority, the University and The City University Construction Fund. The new Lease Agreement now considered is similar to the prior Agreement of Lease (dated as of June 20, 1973) pursuant to which the Dormitory Authority provided community college facilities for The City University. However, certain rights of holders of bonds to be sold pursuant to the new lease Agreement will be subordinate to the rights of holders of bonds sold under the prior Agreement of Lease. In addition to approval of the Agreement of Lease, the resolution authorizes an amendment to the new Agreement of Lease to permit The City University Construction Fund, subject to satisfaction of certain conditions, to include, as part of its annual rental payments to the Dormitory Authority, monies to be paid into a special reserve fund held by the Authority.
P. SUPPLEMENTAL AGREEMENT 1 - SUBORDINATED COMMUNITY COLLEGE ISSUE:

RESOLVED, That the form and substance of proposed Supplemental Agreement 1 dated as of June 15, 1982 which document bears a title page which reads: DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND CITY UNIVERSITY CONSTRUCTION FUND AND THE CITY UNIVERSITY OF NEW YORK - SUPPLEMENTAL AGREEMENT 1 DATED AS OF JUNE 15, 1982 (CITY UNIVERSITY SUBORDINATED COMMUNITY COLLEGE ISSUE) and provides, among other matters, for the financing by the Dormitory Authority by the issuance of the Authority's Bonds and Notes in one or more Series pursuant to the Revenue Bond Resolution adopted June 15, 1982 of certain facilities constituting a part of the Project is hereby approved; the Chairman of the Board of Trustees is hereby authorized and directed to execute such Supplemental Agreement 1 and to cause the seal of such Board to be affixed thereto; and the Secretary of the Board 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 1, changes, insertions and omissions may be made thereto as may be approved by the Chairman of the Board of Trustees and the execution by said Chairman of such Supplemental Agreement 1 containing such changes, insertions and omissions, and the attestation thereto, by the Secretary, shall be conclusive evidence of such approval.

EXPLANATION: Supplemental Agreement 1 supplements the basic underlying lease agreement among The City University, the Dormitory Authority and the City University Construction Fund dated June 15, 1982 and will authorize the Dormitory Authority to permanently finance the cost of the following community college facilities:

1. Bronx Community College, Alteration of Silver Hall $4,948,000
2. Hostos Community College, Renovation of 476 Grand Concourse (Planning) 500,000
3. Medgar Evers College, New Facility, including Site Acquisition (Acquisition, Demolition and Planning) $3,000,000

Q. AUTHORIZATION FOR OFFICIAL STATEMENTS ISSUED IN CONNECTION WITH SALES OF SUBORDINATED COMMUNITY COLLEGE BONDS:

RESOLVED, That the following officers are hereby authorized and directed to examine any statements contained in any Official Statement of the Dormitory Authority relating to a Series of Bonds of the Authority issued pursuant to the Revenue Bond Resolution adopted June 15, 1982 (subordinated Community College Issue), in its preliminary and final form, and, upon approval thereof, to deliver a letter to the Dormitory Authority, signed by at least three of such officers, stating in substance that the material contained therein, relating to the Board of Trustees, The City University of New York and to the community colleges governed and administered by the Board is true, which letter shall further state that in the opinion of the signer thereof such material is a fair and accurate statement relating to the Board of Trustees of The City University and to the community colleges governed and administered by the Board and that no material facts have been omitted. Such officers are as follows: The Chair and Vice Chair of the Board of Trustees, the Chancellor and the Deputy Chancellor of The City University and the Vice Chancellor for Budget and Planning.

EXPLANATION: In connection with the sale of series of bonds of the Dormitory Authority of the State of New York, pursuant to the Revenue Bond Resolution adopted by the Authority on June 15, 1982 (Subordinated Community College Issue), it will be necessary that the Dormitory Authority issue an Official Statement with respect to each series of bonds (initially in the form of a preliminary Official Statement and subsequent to the sale of such bonds in the form of a final Official Statement).

Since each such Official Statement, in both its preliminary and final form, must necessarily contain certain information relating to The City University, it is necessary that Officers of the University be authorized to examine, appraise and approve the accuracy of any such information in each such Official Statement.
R. BROOKLYN COLLEGE - LEASE/PURCHASE OF TAPE DRIVES AND CONTROLLER:

RESOLVED, That the Board of Trustees of The City University of New York authorize Brooklyn College to advertise for and award a contract to the lowest responsible bidder for a five year lease/purchase of three tape drives and controller, with option of the College to terminate at the end of each fiscal year, at a total estimated cost of $126,000; the annual estimated cost of $25,200, for the period July 1, 1982 through June 30, 1983, to be charged to State Tax Levy Code 7001-176-8301-806-2-22120-15/30, or any other such codes as may be available, subject to financial ability; and be it further

RESOLVED, That Brooklyn College shall present an appropriate resolution to this Board for each subsequent year in which the contract is in effect, authorizing the expenditure of funds to meet the obligations of such contract for such year.

EXPLANATION: The three tape drives are needed to provide the College with greater tape input/output capacity. With the move towards an on-line environment the need to backup DASD becomes critical. The existing tape drives are clearly no match for the task at hand.

This resolution has the approval of the Vice Chancellor for University Systems.

S. BROOKLYN COLLEGE - LEASE/PURCHASE OF LINE PRINTER:

RESOLVED, That the Board of Trustees of The City University of New York authorize Brooklyn College to advertise for and award a contract to the lowest responsible bidder for a five year lease/purchase of two Line printers, with option of the College to terminate at the end of each fiscal year, at a total estimated cost of $163,000. The annual estimated cost of $32,400, for the period July 1, 1982 through June 30, 1983, is to be charged to State Tax Levy Code 7001-176-8301-806-2-22120-15/30, or any other such code as may be available, subject to financial ability; and be it further

RESOLVED, That Brooklyn College shall present an appropriate resolution to this Board for each subsequent year in which the contract is in force, authorizing the expenditure of funds to meet the obligations of such contract for such year.

EXPLANATION: In an effort to move away from expensive outmoded technology, the college is deleting three printers and 18 keypunch machines. The two Line printers will provide greater throughput, increase overall student productivity, and be more cost effective than the equipment now in use.

This resolution has the approval of the Vice Chancellor for University Systems.

T. POLICY ON TELECOMMUNICATIONS AND OFFICE AUTOMATION: - Withdrawn

NO. 5. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH: RESOLVED, That the following items be approved or action taken as noted:

A. LAGUARDIA COMMUNITY COLLEGE - A.S. IN COMPUTER SCIENCE:

RESOLVED, That the program in Computer Science leading to the A.S. Degree to be offered at LaGuardia Community College be approved, effective September 1982, subject to financial ability.

EXPLANATION: This program proposed jointly by the Departments of Mathematics and Data Processing, prepares graduates for transfer to a four-year program. Students may also find employment in entry level data processing positions in titles such as Applications Programmer, Systems Programmer, and Systems Analyst.

The curriculum includes 34 credits in liberal arts and 22 credits in Computer Science/Data Processing. Students will participate in LaGuardia Community College’s mandatory Cooperative Education Program and complete three 3-month internships in the field of Data Processing. Implementation of the program will entail the acquisition of some equipment, the cost of which the college will assume in its regular operating budget.

At this point Mr. Rivera left the meeting.
B. BROOKLYN COLLEGE - B.A. IN RELIGION (DUAL MAJOR):

RESOLVED, That a dual major Program of Studies in Religion, leading to the Bachelor of Arts degree, to be offered at Brooklyn College, be approved effective September 1, 1982, subject to financial ability.

EXPLANATION: The Program of Studies in Religion is designed as an interdisciplinary dual major, drawing upon existing faculty and courses, with the addition of two new introductory courses and a seminar for majors to be offered under the program itself. To complete the dual major, a student takes twenty-one credits of courses in the following categories: The two introductory courses in Eastern and Western religion offered by the program; a methodology course; two courses in religious thought or literature; one course in the history of religion; a capstone seminar on Studies in Religion. The student is required to complete an independent major in a related field approved by the program director. The curriculum embraces a variety of disciplines and religions and is designed to provide a coherent option in our liberal arts programs for students interested in studying this important field of knowledge and endeavor.

At this point Mr. Rivera rejoined the meeting.

C. BROOKLYN COLLEGE - M.A. IN LIBERAL STUDIES:

RESOLVED, That the program in Liberal Studies leading to the M.A. Degree, to be offered at Brooklyn College, be approved effective September, 1982, subject to financial ability.

EXPLANATION: This program provides an interdisciplinary curriculum, including Communications, Humanities, Social Sciences, and Sciences, which provides multiple perspectives on the theme of human nature as it has been considered in different historical periods and in different cultures. The curriculum is structured to include two core seminars (6 credits each), covering perspectives from religion, philosophy, psychology, comparative literature, art, and television/film in the first seminar; archaeology/anthropology, history, sociology, physics/chemistry, computer information science, and biology in the second seminar. The first seminar introduces the treatment by the major religions of the human ideal and the last unit of the second seminar introduces the notion of human intervention in effecting the ideal of a particular culture. Each unit of the core builds on the preceding unit and anticipates questions to be raised by succeeding units regarding the development of human values in particular cultures at particular times. The symposia (1 credit) each of the first three semesters and four electives (3 credits each) provide the students with the opportunity to examine the core concepts in greater detail. The final research project is the culmination of the student's appreciation of the interdisciplinary approach to human value systems and may take the form of a written essay, formal thesis, documentary film or video tape, or multimedia presentation (3 credits).

Graduates of this 30-credit program will have accomplished a synthesis of a broad body of material in 'liberal studies' and be more sensitive in their daily lives as well as in their careers to the impact of special areas on the quality of their existence. Students attracted to this program are those whose undergraduate education was technical, highly specialized, or insufficiently integrated; they may also be students who had some exposure to an interdisciplinary format and would like to resume their interdisciplinary education after having specialized in at least one area. The thematic approach of this program offers a different kind of focus and can be conducted at the higher level of graduate instruction because the student will have already had one or two undergraduate majors as well as the completion of baccalaureate degree requirements distributed in various disciplines.

This program will be staffed almost in its entirety by senior tenured faculty of Brooklyn College, and will involve minimal additional costs for administration.

At this point the Chairperson announced that he had just received word that the Assembly had overridden the Governor's veto of the appropriation for the University. The Senate is expected to act on this matter shortly.

D. HOSTOS COMMUNITY COLLEGE - A.A.S. IN NURSING:

RESOLVED, That the program in Nursing leading to the Associate in Applied Science (A.A.S.) Degree to be offered at Hostos Community College be approved, effective February, 1983, subject to financial ability; and be it further

RESOLVED, That enrollment in this program be limited to 150 students.
EXPLANATION: In 1976 the Board reviewed the status of nursing programs in the University and instituted policies designed to ensure the best use of resources and to improve the quality of the graduates. The proposed program is based on these policies as well as the insight gained in implementing them over the last six years within the University.

Since the Board's review there has been a decline in the number of nursing programs in the State primarily among the hospital-based diploma school programs. This has been accompanied by a corresponding decline in the number of nursing graduates produced annually. At the same time the demand for nursing graduates has increased and the out-migration of nurses to other states has maintained its high and steady pace. The combination of these activities has led to an acute nursing shortage within the State, in the City of New York, and especially in the hospitals maintained by the City.

Student interest in nursing education has remained very high. There are not enough places in existing programs at The City University to meet this demand.

E. COMPENDIUM OF MATTERS CONSIDERED BY THE COMMITTEE: Dr. Bernstein presented the following report detailing the work of the Office of Academic Affairs over the past year:

A. DOCTORAL DEGREE PROGRAMS

Letter of Intent, Doctor of Psychology Degree (Psy. D.) The Graduate School and University Center

B. MASTER'S DEGREE PROGRAMS

B.A. - M.A. in Forensic Psychology - John Jay College  
M.S. in Accounting - Lehman College  
Master of Arts in Teaching-Music - Lehman College  
M.A.. Liberal Studies - Brooklyn College

C. BACHELOR'S DEGREE PROGRAMS

Dual Major in Caribbean Studies - Brooklyn College  
Bachelor of Fine Arts Degree - Brooklyn College  
Bachelor of Arts Degree in International Studies - The City College  
Bachelor of Arts Degree in Social Work - Lehman College  
Bachelor of Technology in Hotel and Restaurant Technology - New York City Technical College  
Bachelor of Arts in Actuarial Science - Baruch College  
Bachelor of Arts in Management and Administration - The City College  
B.A. Dual Major in Religion - Brooklyn College

D. ASSOCIATE DEGREE PROGRAMS

A.A.S. in Data Processing - Hostos Community College  
A.S. in Computer Science - LaGuardia Community College  
A.A.S. in Nursing - Hostos Community College

E. CERTIFICATE PROGRAMS

Certificate in Word Processing - Hostos Community College  
Paralegal Studies Certificate Program - Bronx Community College  
Certificate in Gerontology - Medgar Evers College  
Certificate in Word Processing - Medgar Evers College
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F. CENTERS AND INSTITUTES
Center for Labor and Urban Programs, Research and Analysis - Queens College
Institute for Bronx Regional and Community History Studies - Lehman College
Institute for the Study of Modern Jewish Life - The City College
The Center for Byzantine and Modern Greek Studies - Queens College
Center for Jewish Studies - Queens College
Africana Studies and Research Institute - Queens College

NO. 6. COMMITTEE ON PUBLIC POLICY AND EXTERNAL RELATIONS: RESOLVED, That the following items be approved:

A. PROGRESS REPORT ON THE 1980 CITY UNIVERSITY MASTER PLAN:
RESOLVED, That the Progress Report on the 1980 Master Plan is approved by the Board of Trustees for transmittal to the Board of Regents of the State of New York in compliance with Section 6206(3) of the Education Laws.

EXPLANATION: In compliance with the Education Laws, a Progress Report on the 1980 Master Plan has been prepared to report to the Regents the actions taken by the University on those activities planned in 1980.

A complete copy of the report is on file in the Office of the Secretary of the Board

Mr. Marchant abstained.

B. ANNUAL MEETING WITH GOVERNOR AND MAYOR:
WHEREAS, The Trustees of The City University were recently enabled to meet, en bloc, with Governor Hugh L. Carey to discuss vital issues and concerns related to the University; and

WHEREAS, That meeting was both helpful and productive; therefore be it

RESOLVED, That the Board approves the recommendation of the Committee on Public Policy and External Relations that such a meeting with the Governor - and separately with the Mayor of New York City - be proposed to the Governor and to the Mayor as annual occasions, with dates and places for such meetings to be arranged at a mutually convenient time and place.

NO. 6X. MEDGAR EVERS SITUATION: In response to statements from the audience, the Chairperson reported that he had appointed an oversight committee a few weeks ago with respect to the situation at Medgar Evers College. The committee has been meeting and is proceeding with deliberate speed in its considerations. It is expected that a comprehensive report will be delivered within the next ten days, after which the Board will hold a special meeting sometime in July to consider the situation.

NO. 7. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved or action taken as noted:

A. DISTINGUISHED PROFESSORS: RESOLVED, That the following be designated Distinguished Professors in the departments and the colleges indicated, for the period 7/1/82-8/31/82, with compensation at the rate of $5,000 per annum in addition to their regular academic salary, subject to financial ability:

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<thead>
<tr>
<th>COLLEGE</th>
<th>NAME</th>
<th>DEPARTMENT</th>
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<tbody>
<tr>
<td>Baruch</td>
<td>Gayle, Jr.</td>
<td>English</td>
</tr>
<tr>
<td>John Jay</td>
<td>McNamara</td>
<td>Corrections Administration</td>
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</tbody>
</table>

Prof. Gayle and Prof. McNamara were commended by their respective Presidents. President Lynch introduced Prof. McNamara.

At this point Mr. Maniscalco left the meeting.
B. UNIVERSITY PATENT POLICY:

RESOLVED, That the policy statement on Patents and Inventions adopted by the Board of Trustees on 3/27/72 (Cal. No. 5) be amended to read as follows:

THE CITY UNIVERSITY OF NEW YORK
UNIVERSITY POLICY ON PATENTS AND INVENTIONS

The Chancellor of The City University of New York with the concurrence of its Board of Trustees hereby assigns the responsibility for the administration of the following University patent policy for its duration to the Research Foundation.

A. PURPOSE

It is the purpose of this policy to:

1. Define the functions, responsibilities and rights of the Research Foundation, University, faculty and staff with respect to inventions conceived in the course of activities receiving University support and/or projects administered by the Research Foundation.

2. Encourage creative efforts and the disclosure of inventions to provide benefit to the public through the transfer of technology, to enhance the prestige of the University, and to generate income to be used in support of research and related educational purposes.

3. Establish an equitable basis for the disposition of income generated by inventions.

4. Facilitate the development of patent agreements with the Federal Government.

5. Satisfy granting and contracting agencies with respect to invention disclosure and rights.

B. APPLICABILITY

The provisions of this policy apply to principal investigators, project directors, faculty, staff and all others who produce inventions in the course of or related to activities on grants or contracts administered by the Research Foundation or supported in any way by the University through funds, facilities or equipment. This policy applies to former employees of the Foundation and University with respect to inventions conceived or reduced to practice during their period of employment. Sponsor agency requirements will supersede provisions of this policy in the event of conflict.

C. DEFINITION

The term “invention” as used in this Statement means any process, machine, manufacture, composition of matter or design, or any new or useful improvement thereof, and any variety of plant or substance which is or may be patentable under the patent laws of the United States.

D. POLICY

1. It is the policy of the Research Foundation and the University to encourage and recognize creative efforts of personnel and to facilitate the sharing of financial rewards derived from inventions on an equitable basis, consistent with the public interest.
2. As a condition of participation in a grant or contract administered by the Research Foundation, the project director, the principal investigator, and every other participant engaged in research under such grant or contract, must execute an invention agreement which incorporates the provisions of this Statement of Policy and Procedure. However, failure to execute this invention agreement shall not detract from or nullify the applicability of this Statement of Policy and Procedure.

3. Any invention made in the course of activities to which this Statement of Policy and Procedure applies must be promptly disclosed by the inventor(s) to the Research Foundation.

4. Subject to the provisions of this policy, the Research Foundation shall own all domestic and foreign rights in and to all such inventions.

5. A University Committee on Patents and Inventions, consisting of seven members, shall be established. The chairperson shall be appointed by the Chancellor from within the Office of the Chancellor and shall act as his representative on the Committee. Each college president may nominate members of the college faculty for membership on the Committee. The Faculty Advisory Council of the Research Foundation will select the remaining six members of the Committee from among such nominees for appointment by the Chairperson of the Board of Directors of the Research Foundation or his (her) designee. Initially, three members of the Committee shall have 2-year terms, three members shall have 3-year terms and one chairperson shall have a 3-year term. Thereafter, terms shall be for a period of 3 years. Membership on the Committee shall cease when faculty status at CUNY terminates or in the case of resignation or inability to serve. In such cases, the Faculty Advisory Council shall then make a selection for an interim appointment to fill the unexpired term. Appointments due to the expiration of term shall be made in the same manner as the initial appointments to the Committee.

Staff assistance for the University Committee on Patents and Inventions will be furnished by the Research Foundation.

6. The University Committee on Patents and Inventions will determine whether any interest exists in an invention reported to the Research Foundation pursuant to Paragraph D.3 and if so, whether Foundation resources are to be used to obtain patent coverage and subsequent licensing of the invention, or alternatively, whether an outside patent management organization is to be used. If the Committee fails to notify the inventor(s) of its determination, the inventor(s) may, within a reasonable time from the date of disclosure, submit a written request for such notification.

7. In the event that the Committee decides not to file for a patent, the inventor shall be so advised in writing within a reasonable time from the date of disclosure and shall have the option to seek a patent at his/her own expense and with full ownership of all rights. This provision applies separately to domestic and foreign patents and is further subject to granting or contracting agency regulations.

8. All proceeds derived from inventions to which this Policy and Procedure Statement are applicable, shall be shared by the inventor(s), the University, and the Inventor(s)' College as follows:

   a. Inventor(s)--35 percent of net proceeds, after deduction of all general expenses other than salaries in connection with patenting and licensing of the invention, including charges of an outside patent management organization.

   b. Inventor(s)' College and University--65 percent of net proceeds, after deduction of all general expenses other than salaries in connection with patenting and licensing of the invention, including charges of an outside patent management organization, to be divided equally between the Inventor(s)' College and the University. These proceeds are to be used by the College and the University exclusively for research and related educational purposes, subject to the provisions of Paragraph 9 below.
9. The Foundation shall maintain a revolving fund of no more than $50,000 to defray costs other than salaries in connection with patenting and licensing of inventions, including the charges of outside patent counsel and outside patent management organizations. At the end of each quarter, the University shall pay to the Research Foundation from its share of net proceeds derived from inventions pursuant to paragraph 8 received in such quarter, to be placed in such fund, an amount equal to the amount expended from such fund in the preceding quarter, provided that in no quarter shall the University pay from such proceeds an amount in excess of 30% of its share, or $30,000, whichever is greater.

10. The Foundation shall be responsible for developing written agreements, arranging for patent applications and licensing, negotiating with patent management organizations and for all business administration related thereto. The Foundation shall also be responsible for notifying the University Committee on Patents and Inventions of inventions disclosed to it or of failures to adhere to this Policy and Procedure Statement.

11. The University Committee on Patents and Inventions may recommend changes to this Policy and Procedure Statement and take other actions consistent herewith as may be requested by the University or the Foundation.

12. Inventors shall adhere to this Statement of Policies and Procedures and shall offer full cooperation to the Research Foundation, the University Committee on Patents and Inventions, the University, any patent management organization, and the patent attorneys responsible for the preparation and prosecution of the patent applications.

E. OPERATING GUIDELINES

1. The inventor(s) shall furnish the Foundation with a written report of each invention promptly after conception or first actual reduction to practice. The Disclosure Report Form should be used for this purpose. If more than one individual participated in the invention or discovery, the report is to be signed and dated by all such parties. In addition, as a measure of protection, the inventor should have a description of the invention in a bound laboratory notebook which has been witnessed and dated by someone knowledgeable in the subject matter covered stating: “I have read and understood this invention.”

2. Prior to publication of information relating to an invention covered by the provisions of this Statement, the inventor should provide the Foundation with a copy for review.*

3. Following receipt of the disclosure, the Research Foundation will review the document and determine whether any additional information is required from the inventor(s). Then a determination will be made as to the rights, if any, of the sponsoring agency. Based on the nature of the invention, the Research Foundation shall make a determination as to the means of evaluating the quality of the invention, its patentability, and commercial feasibility. The University Committee on Patents and Inventions will assess the results of the evaluation in reaching their decision as provided for in Paragraph D.6. If no notification of the committee’s determination is received by the inventor, the inventor may, within a reasonable time from the date of disclosure, submit a written request for such notification.

4. If the inventor(s) disagrees with the determination of the University Committee on Patents and Inventions on the choice of the patent management organization, the licensee, or other matters pertaining to the patent, or as to whether any interest exists in an invention, he/she may appeal this determination to the Board of Directors of the Research Foundation within sixty (60) days after receipt of written notification by the University Committee on Patents and Inventions. The appeal shall be in writing and set forth the reasons for the disagreement. The Board of Directors shall review the entire situation and make a determination of the matters at issue. The determination of the University Committee on Patents and Inventions, if not appealed from, or the Board of Directors of the Research Foundation shall be final and conclusive and binding on the inventor(s) involved, the Foundation, the Inventor’s College and the University.

*In the United States, if a patent application has not been filed on an invention within one year after publication, no patent may be obtained. In some foreign countries, applications must be filed before publication.
5. All proceeds from inventions covered by this Statement will be payable to the Foundation, which will make distribution to the inventor(s), and make available to the inventor(s)’ College and the University the remainder in accordance with the provisions of this Policy.

6. The University shall distribute a copy of this Policy and Procedure Statement to all members of the Instructional Staff of the University at the time of initial hire.

F. IMPLEMENTATION

This policy shall become effective immediately.

EXPLANATION: On May 17, 1982, the Trustees of the Research Foundation adopted this policy which contains the recommendations of the Faculty Senate (see underlined portions of Policy). The revised policy increases the share of the proceeds to the inventor from 15% to 35%; extends coverage of the policy to all CUNY employees; and provides for the use of the University’s share of proceeds. These provisions will encourage creative efforts, the disclosure of inventions, and will provide benefits to the public through the transfer of technology. This action will establish a uniform patent policy for the University and the Research Foundation.

Matter underlined is new.

C. POLICY ON “HUMAN SUBJECTS IN RESEARCH:”

RESOLVED, That the policy entitled “Protection of Human Subjects” adopted by the Board of Trustees on 1/24/72 be amended to read as follows:

THE CITY UNIVERSITY OF NEW YORK
PROTECTION OF HUMAN SUBJECTS: POLICY AND PROCEDURE STATEMENT

I. PURPOSE

The purpose of this policy and accompanying procedures is to ensure the exercise of appropriate concern and protection for individual human subjects who may be involved in activities administered by the Research Foundation and The City University of New York. At the same time, the Foundation and The City University of New York will meet the requirements of the U.S. Department of Health, and Human Services, the State of New York and other funding agencies with respect to use of human subjects in supported research activities.

II. APPLICABILITY

This policy and the procedures set forth herein apply to all research activities supported in whole or in part by funds administered by the Research Foundation as well as to all non-funded research activities conducted at any unit of The City University of New York. Principal investigators, project directors, and researchers all share the responsibility for observing the provisions of this policy. If work is carried out by arrangement with other individuals or institutions, this policy is applicable to such work and should be made part of the provisions contained in the subcontracts or agreements.

III. BACKGROUND

The Research Foundation originally established a policy and procedures for protection of human subjects which conformed with the requirements of the Department of Health, Education and Welfare. Since that time, the DHEW has become the Department of Health and Human Services (DHHS) and has revised and expanded its original regulations. As a result, the Foundation’s responsibilities have been enlarged. A University Committee for the Protection of Human Subjects was formed and has been involved in the implementation and revision of the policies and procedures of the Foundation and The City University of New York consistent with the DHEW and DHHS regulations and applicable state and federal law.
In 1972, Policy and Procedure Statement No. 521 was issued based on the April 15, 1971 DHEW policy statement. The revision of the Research Foundation Policy and Procedure Statement (Policy 521-A) was based on the DHEW regulations as amended in the March 13, 1975 and May 20, 1975 issues of the Federal Register. Subsequently, DHHS issued a set of “Final Regulations Amending Basic HHS Policy for the Protection of Human Research Subjects.” These appeared in the January 26, 1981 issue of the Federal Register. The federal regulations provide the following:

1. Safeguarding the rights and welfare of subjects at risk in activities supported under grants and contracts from DHHS is primarily the responsibility of the Institution which receives or is accountable to DHHS for the funds awarded for the support of the activity. In order to provide for the adequate discharge of this institutional responsibility, it is the policy of DHHS that no activity involving more than “minimal risk” to human subjects and which is supported by DHHS grants or contracts shall be undertaken unless an Institutional Review Committee has reviewed and approved such activity, and the institution has submitted to DHHS an assurance and certification of such review and approval. Activities involving only “minimal risk” shall be reviewed under expedited procedures, described on page 99.

2. Reviews by the Institutional Review Committee shall determine whether these subjects will be placed at risk, and if risk is involved, whether:
   a. The risks to the subject are so outweighed by the sum of the benefit to the subject and the importance of the knowledge to be gained as to warrant a decision to allow the subject to accept these risks;
   b. The rights and welfare of any such subjects will be adequately protected;
   c. Legally effective informed consent will be obtained by adequate and appropriate methods in accordance with the provisions of this part; and
   d. The conduct of the activity will be reviewed at timely intervals.

3. No grant or contract involving human subjects at risk shall be made to an individual unless he is affiliated with or sponsored by an institution which can and does assume responsibility for the subjects involved.

The Public Health Law of the State of New York in Sections 2440-2446, requires that all research involving the “physical or psychological intervention by the researcher upon the body” of a human subject be reviewed by an institutional human research review committee. The informed consent of the subject must be obtained. No distinction is made in the New York State Law between funded and unfunded research.

IV. DEFINITIONS:

1. Human Subject - “Human Subject” is a living person about whom an investigator conducting research obtains (1) data through intervention or interaction with the person or (2) identifiable private information.

2. Intervention - “Intervention” includes both physical procedures by which data are gathered, i.e., blood tests, stress tests, diet regulations, etc., and manipulations of the subject or the subject’s environment.

3. Interaction - “Interaction” includes communication or interpersonal contact between investigator and subject.

4. Human Subject/At Risk - An individual is considered to be “at risk” if he/she may be exposed to the possibility of injury - physical, psychological, sociological, or other - as a consequence of any activity which goes beyond the application of established and accepted methods necessary to meet his needs or which increases the ordinary risks of daily life including the recognized risks inherent in a chosen occupation or field of service. The determination of when an individual is at risk is a matter of the application of common sense and sound professional judgment to the circumstances of the activity in question. Responsibility for this determination resides at all levels of review.
Of particular concern are minors or subjects with limited civil freedom or decision making capacity such as prisoners, residents or clients of institutions for the mentally ill or mentally retarded, and persons in the Armed Forces or Civil Service. Special care should be taken to insure the adequacy of the protective measure taken for such individuals.

5. Minimal Risk - “Minimal risk” means that the risks of harm anticipated in the proposed research are not greater, considering probability and magnitude, than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.

6. Private Information - “Private information” includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (e.g., a medical record). Private information must be individually identifiable (i.e., the identity of the subject is or may readily be ascertained by the investigator or associated with the information) in order for obtaining the information to constitute research involving human subjects.

7. Research - “Research” is a formal investigation designed to develop or contribute to the general scope of knowledge. The research activity is generally described in detail in the research protocol, which defines the specific objectives of the project and sets forth the methods to be used to reach these objectives.

8. Established and Accepted Methods - Some methods become established through the rigorous standardization procedures prescribed by law, as in the case of drugs or biologicals, by operation of law, or, as in the case of many educational tests, through the aegis of professional societies or non-profit agencies. Determination as to when a method passes from the experimental stage and becomes “established and accepted” is a matter of judgment.

9. Elements of informed Consent - The subject’s informed consent must be obtained when it is determined that the subject will be at risk. Effective Informed Consent means the knowing consent of an individual or his legally authorized representative, so situated as to be able to exercise free power of choice without undue inducement or any element of force, fraud, deceit, duress, or other form of constraint or coercion. The basic elements of information necessary to such consent include:

   1) a fair explanation of the procedures to be followed, and their duration and purposes, including identification of any procedures which are experimental;
   2) a description of any attendant discomforts and risks reasonably to be expected;
   3) a description of any benefits reasonably expected;
   4) a disclosure of any appropriate alternative procedures that might be advantageous for the subject;
   5) an offer to answer any inquiries concerning the procedures;
   6) an instruction that the person is free to withdraw his consent and to discontinue participation in the project or activity at any time without prejudice to the subject;
   7) with respect to biomedical or behavioral research involving more than minimal risk, an explanation as to whether compensation and medical treatment is available if physical injury occurs and, if so, what it consists of or where further information may be obtained;
   8) a statement describing the extent, if any, to which confidentiality of records identifying the subject will be maintained.

10. Legally Authorized Representative - “Legally authorized representative” means an individual or judicial or other body authorized under applicable law to consent on behalf of a prospective subject to such subject’s participation in the particular activity or procedure.
V. POLICY

It is the policy of the Research Foundation and The City University of New York that in all activities involving human subjects conducted at any unit of The City University of New York, the rights and welfare of the subjects involved are adequately protected, the risks to an individual are outweighed by the potential benefits to him or by the importance of the knowledge to be gained, that informed consent is obtained by methods that are adequate and appropriate, and the conduct of the activity will be reviewed at timely intervals. Such concern for the subject shall be made evident in planning, requesting support for, conducting and reporting on the projects.

In formulating these policies and procedures, the Research Foundation and The City University of New York are cognizant of, and in compliance with, the principles espoused in the "Belmont Report," a statement of ethical principles and guidelines for the protection of human subjects of research, promulgated under the auspices of DHEW. A summary of the "Belmont Report" appeared in the April 18, 1979 issue of the Federal Register.

VI. OPERATING GUIDELINES

As noted previously, the primary responsibility for observing this policy belongs to the institution through its committee review procedures.

A. The University Committee

A University-wide Committee on the Protection of Human Subjects has been established. The University Committee is composed of eight members; five represent those colleges having the greatest research activity; one is from a community college; one is from the Research Foundation, and one member has no CUNY association other than his membership on the Committee.

The six college representatives on the University Committee are the Chairman of their College Committees and represent various disciplines. Formal appointments to the University Committee are made by the Chancellor upon nomination by the College Presidents and such appointment continues until terminated by the Chancellor. The University Committee has adopted as a general code of principles concerned with the protection of human subjects in research, investigation and care those established in the "Ethical Principles in the Conduct of Research with Human Participants" copyright 1973 by the American Psychological Association as well as those of the "Belmont Report" and all applicable federal and state statutes and regulations.

The University Committee will furnish guidance and assistance to the colleges on the establishment and operations of local College Committees and shall provide interpretations of DHHS, University and Research Foundation policies, and of any relevant legal requirements. College Committees shall, in the course of their work, follow the instructions and interpretations of the University Committee. Neither the College Committees nor the University Committee may adopt any principle or regulation which conflicts with DHHS policy or applicable federal and state law.

The University Committee will review cases both on its own initiative and on appeal from actions of the College Committees, and shall make final determinations as to provisions for the protection of human subjects.

The University Committee will review and approve all human research projects to be conducted under the auspices of the Central Office. Review of those projects which involve only "minimal risk" to human subjects may be delegated.

The University Committee will maintain a liaison with the DHHS and other relevant agencies, will advise project directors and other personnel, will review and evaluate all aspects of the protection of human subjects, and will submit recommendations to the University and the Research Foundation.

Staff assistance for the University Committee will be furnished by the Research Foundation.
B. The College Review Committees

Every college of The City University of New York has established a College Committee to review all proposed and ongoing human research projects. The review of those projects which involve only "minimal risk" to human subjects may be delegated to an individual or group within the College. Such College Committee is appointed by the College President and is composed of five to nine members with appropriate maturity, experience and expertise of its members in different professional areas, and diversity of its membership taking into account racial and cultural backgrounds, to insure that the advice and counsel given by such College Committee for safeguarding the rights and welfare of human subjects will be respected. In addition to possessing the professional competence to review research activities, the College Committees must also be able to determine the acceptability of a proposal in terms of institutional requirements, applicable law, standards of professional conduct and practice and community attitudes. The College Committees include persons whose primary concerns lie in these areas. Specifically, the College Committee may include a college administrator, a student, a lawyer, and must include as a member a person who is not otherwise associated with the College apart from his membership on the Committee. College Committee members shall be identified by name, position or occupation, and by other pertinent indications of experience and competence. No College Committee shall consist entirely of members of only one sex.

In carrying out its responsibilities, the Committee should consider the following matters:

a. Initial Review

(1) Clarity of the Proposal - If the proposal lacks clarity with respect to the provisions relating to, or impacting upon that aspect of the research involving human subjects, additional information should be called for by the College Committee and attached to the original proposal as an appendix.

(2) Recommendations - The Committee shall, where necessary make recommendations with respect to conditions, control, facilities, and professional services necessary for the safety and well-being of the subject. The Committee should be available to render advice to the Investigator and to hear any concerns of the subject.

(3) Endangered Neighbor - The Committee should consider if the proposed research could affect unwitting human subjects through environmental contamination by hazardous substances, e.g., disposal of radio-isotopes, infectious material, etc., and be satisfied that all proper precautions have been established.

(4) Consultants - Should be utilized if the proposed activity is outside the area of expertise of the Committee members.

(5) Non-participation - Members of the Committee should not participate in deliberations or decisions with respect to investigations in which they have an interest or when they wish for personal reasons to be excused.

(6) Cooperative Activities - If the proposed project involves cooperation with another institution, the Committee must be satisfied with the determination of the cooperating institution's review and approval of the use of human subjects in the project.

(7) Certifications of Proposals - After review the Committee will certify that the proposed activity does or does not put the subject at risk. If the proposed activity places an individual at risk, the Committee will further determine:

(i) That the proposed research procedures adequately protect the rights and welfare of the subject involved;

(ii) that the risks to the subject are outweighed by potential benefits or the importance of the knowledge to be gained;
(iii) that the informed consent of the subject will be obtained by means and methods that are adequate and appropriate;

(iv) that the conduct of the activity will be reviewed at timely intervals.

(8) Research Activities Where the Researcher is at Risk - The College Committee will act in an advisory capacity in reviewing research proposals to determine whether the proposal provides adequate safety precautions for the researchers. There is a basic understanding that the Project Director or Principal Investigator is free to assume the risks contemplated in his research protocol if this individual is informed and aware of the risks. The main thrust of the College Committee's review is directed to the research staff. If the College Committee, upon reviewing the research proposal, concludes that the safety of the researchers has not been adequately protected, the Committee will so advise the College President or his designate.

b. Research Proposals Prepared with Intent of Not Involving Human Subjects - If an application or proposal, when initially prepared, does not anticipate involving or intend to involve human subjects the application or proposal need not be considered by the Committee at the time of initial preparation. In such a project, however, when it later becomes appropriate to undertake activities which involve human subjects, each such new activity shall be reviewed as provided in these policies and procedures, that is, when appropriate: (1) by the College Review Committee; (2) by the expedited review procedure described in Section VII; (3) and when “minimal risk” as defined in Section VIII is involved, by a designated individual or group, if any, for institutional concurrence.

c. Documentation of Informed Consent - Informed Consent must be documented in accordance with one of two forms:

(1) A written consent document embodying all of the basic elements of Informed Consent. This may be read to the subject or to his legally authorized representative, but in any event he or his legally authorized representative must be given adequate opportunity to read it. This form is to be signed by the subject or his legally authorized representative. It may not include any exculpatory language through which the subject waives, or appears to waive, any of his legal rights, or released the institution or its agents from liability for negligence.

(2) Waiver of modification of the above. All such modifications must be approved by the Committee and documented in the minutes signed by the Chairman. Permission to use modified consent procedures imposes additional responsibility upon the review committee and the institution to establish that risk is minimum, that use of the primary Informed Consent Procedure would effectively invalidate the research results, and that any reasonable alternative means for obtaining these results would be less advantageous to the subject.

d. Records - Should be maintained of reviews, decisions, declarations of investigators, approved consent forms, recommendations, and other action taken by the Committee. Minutes of all committee meetings should be kept. The Committee Chairman (or his designee) shall maintain these records and they shall be available for inspection at any time.

e. Additional Reviews - All projects will receive at least an annual review and, depending upon the degree of risk involved, more frequent reviews. This continuing review should be maintained during the conduct, completion and reporting of research in order to see that it is conducted according to the proposal and that any modification in research plans or procedures meet the considerations noted herein regarding the rights and welfare of the subject.

f. Disapprovals and Appeals - Favorable recommendations by the University Committee or College Committees are always subject to further review, disapproval or further restriction by appropriate university or college officials. If a project director, principal investigator, or researcher is dissatisfied with a negative College Committee decision, such decision may be appealed to the University Committee. The University Committee will review the action of the College Committee and affirm, reverse or modify such College Committee action. During its review, the University Committee may require the parties to submit further information. Unfavorable decisions, recommendations, restrictions or conditions made or imposed by the University Committee cannot be removed, or further appealed.
g. New Committee Members - When vacancies occur, request should be made for the appointment of a replacement and upon appointment, the Research Foundation should be notified of the replacement. The Research Foundation will advise the DHHS.

h. Meeting - The College Committees will meet as often as necessary to review proposals prior to submission to an agency, but at least quarter-annually. A majority of the College Committee shall constitute a quorum. At least one voting member must be from a discipline that does not overlap that of the investigator.

i. Incompleted Review - If the institutional review has not been completed before submission of the application to DHHS, the College Committee shall inform the DHHS agency of the result of the review promptly after determination of same and no later than sixty (60) days after submission of the proposal to the agency, or within thirty (30) days of a request from the sponsoring agency.

j. Changes in Proposals - The project director, principal investigator or researcher should be informed that the College Committee must be advised of any proposed procedural changes possibly affecting the status of the Committee's decision. No changes, except those necessary to eliminate apparent immediate hazards, should be made without prior approval.

k. Legal Rights of Subject - Particularly relevant to the decision of the Committees are those rights of the subject that are defined by law. The Committee should familiarize itself through consultation with Legal Counsel with the federal and state statutes, regulations and common law precedents which may bear on its decisions. The provisions of this policy may not be construed in any manner or sense that would abrogate, supersede or moderate more restrictive applicable law or precedential legal decisions.

Where the consent is that of persons who are under age or mentally incapacitated or incarcerated or who are unable to communicate or are under any form of disability, the Committee should especially consider the validity of consent given by next of kin, legal guardians or by other third persons acting in behalf of the subject. In such instances, careful consideration should be given by the Committee not only to whether these third parties can be presumed to have the necessary depth of interest and concern with the subject's rights and welfare, but also to whether these third parties will be legally authorized to expose the subjects to the risks involved.

l. Restrictions by the Committee - Even if the Committee's overall recommendation is favorable it may simultaneously prescribe restrictions or conditions under which the activity may be conducted or require changes in the research plans as they affect human subjects and fix and determine the nature and frequency of interim review procedures to insure continued acceptable conduct of the research.

m. Communication by the Committee - The appropriate College Grants Office and the project director, principal investigator or researcher should be informed of all action taken by the College or University Committee.

n. Reports - A written annual report of each College Committee's activities is to be forwarded each June to the University Committee via the Research Foundation.

C. The Project Director/Principal Investigator and Researcher

Those project directors, principal investigators or researchers expecting to use human subjects in their projects must contact their College Committee. Special instructions concerning the nature of the review and the requirements for Informed Consent will be given to the project director.
It will, of course, be to the advantage of the applicant to submit material to the College Committee well in advance of the deadline for submission of the application to the funding agency. Completing the review prior to the final preparation of the application will insure that procedural revisions which may be indicated by the College Committee can be easily incorporated into the proposal.

After the project is underway, the project director, principal investigator or researcher must report to the College Committee any problems or proposed procedural changes possibly affecting the status of the Committee's decision. No changes, except those necessary to eliminate apparent immediate hazards shall be made without prior approval. Project directors, principal investigators, and researchers shall be responsible for maintaining their own auditable files of signed Informed Consent statements obtained from individual subjects.

At the completion of a project or at the time of annual review of an ongoing project, the project director, principal investigator, or researcher will provide the College Committee with a short progress report which will include the number of subjects studied and number of signed Informed Consents in the project's file, any adverse reactions, change in the protocol or other information which should be brought to the attention of the Committee.

The applicant must be concerned with the following items:

1) The Proposal - To effectively communicate the investigator's ideas to the Committee which is to review the proposal, all essential details should be included in the proposal. Failure to do so may result in requests for additional information and thus cause delay in the reviewing process. A transmittal form which briefly and succinctly describes the selection of subjects, the procedures for protecting against or minimizing potential risks and an assessment of their likely effectiveness, the potential benefits to the subject and/or society, and an analysis of the risk-benefit ratio must be submitted with the full proposal. A sample copy of the proposed consent form must be included.

2) The Human Subject

(a) Privacy and Consent - To the fullest extent possible, due respect must be accorded to the subject's right to privacy. The investigator is obligated to inform the subject or his legally authorized representative of those aspects of the research that might reasonably be considered important factors in obtaining the subject's voluntary consent to enter the project free from any form of coercion.

(b) Exposure to Stress - Only when a problem is significant and can be investigated in no other way is the investigator justified in exposing subjects to possible physical, psychological or social injury. Individuals who seem likely to be disturbed or harmed by the research should not be permitted to participate. The investigator must also seriously consider the possibility of harmful after-effects and should be prepared to remove them as soon as permitted by the design of the research. Where the danger of serious after-effects exists, the research should be conducted only after the subject or his responsible agent is fully informed of this possibility. Care must be taken to ensure appropriate safeguards, e.g., prior medical examination or immediately available medical attention when deemed necessary; to protect both subject and investigator from actual or imputed harm, and the University from criticism.

(c) Use of Deception - The investigator is justified in withholding information from or giving incomplete or erroneous information to subjects only when this is clearly required by the research and the subjects will not be placed at risk. At the earliest possible moment, consonant with the validity of the investigation, the subject should be informed of the actual purpose of the research and steps should be taken to relieve any distress encountered.
(d) Anonymity and Confidentiality - The identity of subjects must not be revealed without their explicit permission (in writing if possible). Anonymity of the subject should be safeguarded in every feasible way. If stored data only is to be used, and written permission cannot be obtained, the investigator must assure the anonymity of the persons whose records are being used or investigated.

(e) Supervision of Assistants - The project director, principal investigator, or researcher should supervise students or other research assistants who have direct contact with subjects or access to information about subjects to ensure that the project is conducted in accordance with professional standards, and with proper maintenance of safeguards for the rights and welfare of the subjects. Such assistants should be made familiar with these guidelines.

(f) Referral for Professional Help - Where evidence of psychological, physical or medical difficulty of a serious nature is revealed during the course of research, it is the obligation of the investigator to refer the subject promptly to appropriate professional help or consultation.

(g) Payment of Fees to Subjects - No fees should be offered to subjects to induce their consent to participate. However, where appropriate, subjects involved in research should have the opportunity of receiving adequate recompense for their participation.

(h) Promises Made to Subject - Investigators who make promises or assume obligations to subjects in return for the subject’s cooperation in research are obliged to scrupulously fulfill such promises or obligations.

(i) Endangered Neighbor - Investigators should consider if the proposed research could affect unwitting human subjects through environmental contamination by any hazardous substances, e.g., disposal of radioisotopes, infectious materials, etc., and describe the precautions that will be taken to prevent this situation.

(j) Research only for Personal Gain or Prestige - The use of research for profit, power, prestige, or personal gratification not consonant with the rights and welfare of the subjects involved in the research is unethical. The investigator’s relationship with the subject should not be used to promote for personal gain or commercial enterprises of any kind.

(k) Projects Involving Other Institutions - If the investigator is working with subjects of another institution, he shall provide the College Committee with a statement of approval from an authorized official of the cooperating institution.

(3) Progress of Final Reports - At the completion of the project or at the time of annual review of an ongoing project, a short progress report shall be submitted to the College Committee indicating the number of subjects involved, the number of signed consent forms in his file, any adverse reactions or changes in the protocol, or other information which should be brought to the attention of the Committee.

D. The Subject

If the subject wishes to voice complaints or concerns, he should contact the College Committee Chairman. His comments will be reviewed by the College Committee. If not satisfied with the Committee’s decision, he may refer his concerns to the University Committee. Subjects are free at any time to remove themselves from the research.

E. The Grants Officer

The College Grants Officer will review all proposals requesting funding to determine whether the project involves human subjects. Those that do, and which involve more than “minimal risk” to the human subjects, will be forwarded for College Committee review, as provided in this Policy and Procedure Statement. Those proposals which state that only “minimal risk,” as defined in Section VIII, is involved, will be reviewed by the Grants Officer for institutional concurrence, if the Grants Officer is the designated individual for such concurrence. If not, the Grants Officer will
forward the proposal to the appropriate designated individual or group for institutional concurrence. It is the responsibility of the Grants Officer to ensure that the above procedures are carried out in accordance with the Institutional Assurance. The Grants Officer shall provide the required forms to the project director, principal investigator or researcher.

F. The Research Foundation

The Research Foundation will serve as staff to the University Committee and as liaison with funding agencies on matters pertaining to human subjects.

VII. EXPEDITED REVIEW

In order to expedite the work of the College Committee, the Committee may elect to establish an expedited review process for human research which does not specifically fall into one or more of the defined categories of “minimal risk” research described in Section VIII, but nevertheless is highly unlikely to involve more than minimal risk to the human subjects. Often, for example, research emanating from academic disciplines such as Fine Arts, English, Foreign Languages, Classics, Religion, and History, would qualify for the expedited review process. Similarly, it is likely that the following types of research would qualify for expedited review:

1. The use of survey research instruments (interviews or questionnaires) and psychological tests, interviews and procedures that are part of the standard battery of assessments used by psychologists in diagnostic studies and in the evaluation of judgmental, perceptual, learning and psychomotor processes, provided that the subjects are normal volunteers and that the data will be gathered anonymously or that confidentiality will be protected by procedures appropriate to the sensitivity of the data;

2. Program evaluation projects that entail no deviation for subjects from the normal requirements of their involvement in the program being evaluated or benefits related to their participation in such programs; and

3. Research using standard protocols or noninvasive procedures generally accepted as presenting no more than minimal risk.

A. Should the College Committee elect to establish an expedited review process, the individual or group established for the purpose of expedited review will screen all research projects submitted for expedited review, reach a decision as to whether questions of the protection of human subjects arise which involve more than minimal risk to such subjects, and following each such review, will issue a report to the College Committee listing all the projects considered and the decision on each. The College Committee will automatically review all proposals found by such individual or group to involve more than minimal risk to human subjects. The College Committee may also reconsider any research proposal it determines needs further evaluation. The College Committee has the ultimate decision making authority.

B. The College Committee has the right, in its sole discretion, to rescind its election of an expedited review process and to designate a different individual or group for the purpose of expedited review.

C. Such individual, or group, should be aware of existing professional Codes of Ethics, if any, relative to research for the disciplines under review.

VIII. “MINIMAL RISK” RESEARCH

It is recognized that certain categories of research involving human subjects contain no more than “minimal risk” to the subjects. These categories include the following:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (i) research on regular and special education instructional strategies, or (ii) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.
(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), if information taken from these sources is recorded in such a manner that subjects cannot be identified directly or through identifiers linked to the subjects.

(3) Research involving survey or interview procedures, except where all of the following conditions exist: (i) responses are recorded in such a manner that the human subjects can be identified, directly or through identifiers linked to the subjects, (ii) the subject's responses, if they became known outside the research, could reasonably place the subject at risk of criminal or civil liability or be damaging to the subject's financial standing or employability, and (iii) the research deals with sensitive aspects of the subject's own behavior, such as illegal conduct, drug use, sexual behavior, or use of alcohol. All research involving survey or interview procedures may be deemed to be of "minimal risk" when the respondents are elected or appointed public officials or candidates for public office.

(4) Research involving the observation (including observation by participants) of public behavior, except where all of the following conditions exist: (i) observations are recorded in such a manner that the human subjects can be identified, directly or through identifiers linked to the subjects, (ii) the observations recorded about the individual, if they became known outside the research, could reasonably place the subject at risk of criminal or civil liability or be damaging to the subject's financial standing or employability and (iii) the research deals with sensitive aspects of the subject's own behavior such as illegal conduct, drug use, sexual behavior, or use of alcohol.

(5) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is obtained by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

If a project director, principal investigator or researcher is absolutely convinced that the research falls within one or more of the above categories, it is not mandatory to submit the proposed project to the College Committee for review. However, such project should be submitted to a designated individual or group (chosen by the College in accordance with its appropriate internal procedures) who may then give an institutional concurrence that the proposed project involves only "minimal risk" to human subjects. If there be any doubt whatsoever concerning the inclusion of the proposed research in one or more of the above categories, or should the designated individual or group fail to give an institutional concurrence, the project director, principal investigator or researcher must contact the College Committee to obtain approval of the research as described in this Policy and Procedure Statement. The failure of the project director, principal investigator or researcher to obtain approval for human research not clearly within one or more of the above categories may result in personal liability on the part of such project director, principal investigator or researcher.

IX. EFFECTIVE DATE

This policy is effective immediately.

EXPLANATION: The Board of Directors of the Research Foundation has approved this joint policy and procedure as it applies to research supported by grants and contracts as well as to non-sponsored research. The latter, however, is not properly within the jurisdiction of the Foundation and was included in anticipation of University approval. The policy is presented to the Board of Trustees for review and adoption as University policy.

The policy and procedures have been formulated to assure proper concern for the protection of human subjects in research to conform to the recently revised requirements of the Department of Health and Human Services and to minimize possible legal liability of the University and the Foundation. Many of the provisions are specifically required by DHHS.

Broadly stated the policy requires that human subjects be adequately protected, that the risks be small in comparison with the potential benefit to the subject, and that informed consent be obtained in an appropriate manner. The proposed policy establishes a definition of minimal risk and allows for the approval of proposed research judged to involve only minimal risk. This judgment can be made by a representative of the College Review Committee without the review of the total committee. The University-wide Committee for the Protection of Human Subjects will continue to review cases on appeal or on its own initiative. This action will establish a uniform "Protection of Human Subjects" Policy for the University and the Research Foundation.
D. 1980-82 “BLUE COLLAR” AGREEMENT:

RESOLVED, That the collective bargaining Agreement covering non-instructional University employees in the custodial, security and stores-stock bargaining unit represented by District Council 37, AFSCME (and its affiliated Locals, 983, 1087, 1597, 1797), Local 237 International Brotherhood of Teamsters, and Locals 246, 300 and 733 of the Service Employees International Union, AFL-CIO, for the period July 1, 1980 to June 30, 1982* be approved subject to approval of the Financial Control Board; and be it further

RESOLVED, That upon due ratification by the membership of the respective unions, said Agreement shall be submitted to the Financial Control Board for approval; and be it further

RESOLVED, That actions taken to implement those portions of the Agreement previously approved by the Financial Control Board be approved; and be it further

RESOLVED, That the Chancellor is hereby authorized and directed to execute such Agreement.

EXPLANATION: The prior collective bargaining Agreements between the parties expired June 30, 1980. Pursuant to the 1979 Amendments to the New York State Education Law (Chapter 306), this bargaining unit covering University employees in custodial, security and stores-stock titles was established under the rules and regulations of the New York State Public Employment Relations Board and combines in a single bargaining unit titles previously covered by several City-wide bargaining units and represented by several unions and locals.

The salary terms contained in this Agreement were established pursuant to the Municipal Coalition Economic Agreement of June 18, 1980 and have been approved by the Financial Control Board. They are already in effect. The University has continued to honor provisions of the expired Agreement pending the completion of a successor Agreement. This resolution, in addition to approving the new Agreement, affirms action taken by the University since the last Agreement.

*Salary provisions for Titles in the Special Officer and Stores-Stock group are effective January 1, 1980 through December 31, 1981.

ARTICLE I - UNION RECOGNITION, UNIT DESIGNATION AND DEFINITIONS

- Establishes the parties to the agreement and the University’s recognition of the multiple union arrangement. (joint recognition)

- Identifies all job titles in the bargaining unit.

- Establishes a mechanism for continuing and identifying particular positions excluded from coverage because of the managerial or confidential nature of their duties.

- Provides for participation by CUNY and CUNY employees in pension bargaining if pension bargaining is authorized by the New York State Legislature.

ARTICLE III - SALARIES

- All salary provisions of the agreement are in accordance with the Municipal Coalition Economic Agreement (MCEA) or with salary review panel or impasse panel decisions reached pursuant to the MCEA on a City-wide basis. These salaries were approved by the Financial Control Board and have been in effect.

ARTICLE V - PRODUCTIVITY, PERFORMANCE TRAINING AND EDUCATIONAL OPPORTUNITY

- Continues basic provisions on productivity, training and educational opportunities of previous contracts. Training programs to focus on enhancement of job skills.

- Provides a University role in the development of courses under union-administered training funds. Codifies certain restrictions regarding the use of tuition waivers.
ARTICLE VIII - OVERTIME

- Continues previous provisions. Allows use of compensatory time (instead of cash payment) for ordered overtime. (Section 2 d)

- Allows some revision of schedules to meet registration needs without incurring automatic overtime (section 4)

- Increases meal allowances for overtime to same levels provided in the current City-wide Contract. (Section 9)

- Allows an employee who has been called in for emergency service to leave when he/she has completed such service (by the waiver of a four hour guarantee). (Section 10 b)

- Restricts the amount of overtime which can be worked in a 24 hour period and restricts double shifts to a two week period. (section 14)

ARTICLE IX - TIME AND LEAVE

- Provides for the establishment of updated leave regulations by the University. (Section 1) Incorporates same into Agreement.

- Continues previous provisions re authorization of use of Annual Leave.

- Continues Summer hours and early dismissal due to excessive heat provisions. (Section 16c)

- Provides for the schedules payment of earned Annual Leave to College Assistants and identifies the periods for which such leave is paid as scheduled vacation periods: these provisions will reduce the University's liability for Unemployment Insurance contributions. (Section 17 e 2)

ARTICLE XVII - JOB SECURITY

- Provisions of previous City-Wide Contract are adapted to CUNY.

- The bulk of the Article deals with non-competitive appointees because retrenchment of competitive appointees is covered by the New York State Civil Service Law.

- Recognition is made of a provision of the Education Law (Section 6207) which continues civil service rights of employees hired when the University was a City agency.

ARTICLE XVIII - TRANSFERS

- This Article revises a previous University-wide transfer policy and extends it to all full time employees under the Agreement. It enables an employee who has two years of service to transfer from his/her present position to another position at another college. The receiving college may choose one of the top three names on a transfer roster. Decisions regarding transfer are not subject to the grievance procedure.

ARTICLE XXIII - MANAGEMENT RIGHTS

- Establishes scope of managerial rights and functions now required because previously applicable New York City Collective Bargaining Law ceased to govern CUNY with change in University status effective July 1, 1979. Provides for negotiation on practical impact on employees of management decisions, as required by The Taylor Law.
ARTICLE XXVI - DISCIPLINARY PROCEDURE

- Institutes a new disciplinary procedure.

- Employees will be subject to discipline in terms of this Article only; it will replace provisions of the Trustees Bylaws and the Civil Service Law.

Replaces three member panels at colleges with a single hearing officer.

ARTICLE XXVII - GRIEVANCE PROCEDURE

- Reflects CUNY's new status under the 1979 changes in the Education Law.

- Unresolved disputes to be submitted to third party resolution (arbitration) under the rules of the American Arbitration Association.

The complete Agreement is on file in the Office of the Secretary of the Board.

At this point Mr. Maniscalco rejoined the meeting.

E. BYLAW AMENDMENT: Notice was served of the introduction of an amendment to Article II of the Bylaws of the Board with respect to the duties and responsibilities of the Chancellor.

The proposed amendment will come up for action at the September meeting of the Board.

NO. 8. COMMITTEE ON STUDENT AFFAIRS AND SPECIAL PROGRAMS: RESOLVED, That the following items be approved or action taken as noted:

A. QUEENS COLLEGE - INCREASE IN STUDENT ACTIVITY FEE:

The resolution was moved and seconded. Mrs. Everett moved to amend the resolution to delete sections 4, 6, and 7, dealing with student activity fees for part-time Evening Session students and Undergraduate and Graduate Summer Session students. The motion to amend was seconded by Mr. Baard. Dr. Bernstein suggested that Section 4, dealing with part-time Evening Session students, be omitted from the amendment which would then deal only with Summer Session students. Mrs. Everett and Mr. Baard accepted the change in the amendment. The motion failed to pass, with 5 voting in favor of it, and 4 voting against it.

The following resolution was adopted:

RESOLVED, That the total student activity fees paid by Queens College students be increased by $1.00, and that the portions earmarked for NYPIRG (New York Public Interest Research Group, Inc.) be increased from $2.00 to $3.00, as follows:

1) That the total student activity fee for full-time Day Session students be increased from $64.75 to $65.75;

2) That the total student activity fee for part-time Day Session students be increased from $43.00 to $44.00;

3) That the total student activity fee for full-time Evening Session students be increased from $61.75 to $62.75;

4) That the total student activity fee for part-time Evening Session students be increased from $42.00 to $43.00;

5) That the total student activity fee for all Graduate students be increased from $38.25 to $39.25;

6) That the total student activity fee for all Undergraduate Summer Session students be increased from $42.00 to $43.00;
7) That the total student activity fee for all Graduate Summer Session students be increased from $37.75 to $38.75;

8) That the total student activity fee for all Undergraduate Intersession students be increased from $33.75 to $34.75;

9) That the total student activity fee for all Graduate Intersession students be increased from $29.75 to $30.75;

10) That the NYPIRG fee at Queens College continue to be allocated by NYPIRG;

11) That the fee increase be effective commencing with the Fall 1982 semester.

EXPLANATION: The NYPIRG fee is used to support the activities of the New York Public Interest Research Group, Inc. whose purpose is to investigate and research public policy issues of special interest to the student membership. A referendum was held in accordance with CUNY Bylaw Section 15.10 (f), in conjunction with student government elections held May 3 through May 7, 1982. The vote was as follows: Day Session - 2,044 in favor, 1,073 opposed; Evening Session - 107 in favor, 18 opposed; Graduate Division - 108 in favor, 22 opposed to the increase. The college president supports the fee increase. Although NYPIRG has been operating at Queens College since 1973, the NYPIRG fee has never been increased despite the fact that expenses have risen substantially. The college president states that the student vote was in recognition of the need to meet inflation and rising expenses and in recognition of the value of NYPIRG's work at Queens College. There will be a refund provision for the NYPIRG fee in accordance with college and NYPIRG procedures.

B. BYLAW AMENDMENT: - Withdrawn

At this point Mr. Badillo and Dr. Polk left the meeting.

ADDED ITEMS

C. NEW YORK CITY TECHNICAL COLLEGE - INCREASE IN STUDENT ACTIVITY FEE:

RESOLVED, That the Student Activity Fee paid by full-time students at the Brooklyn and Voorhees campuses of New York City Technical College, respectively, be increased from $21.70 to $23.70; that the $2.00 increase be earmarked for NYPIRG (New York Public Interest Research Group, Inc.); that the NYPIRG fee be allocated by NYPIRG; and that the fee increase commence with the Fall 1982 semester.

EXPLANATION: The NYPIRG fee is used to support the activities of the New York Public Interest Research Group, Inc. whose purpose is to investigate and research public policy issues of special interest to the student membership. Referenda were held in accordance with CUNY Bylaw Section 15.10 (f), in conjunction with student government elections held May 18 through May 21, 1982 at the Brooklyn campus, and May 19 and May 20, 1982 at the Voorhees campus, respectively. The vote was as follows: Brooklyn campus - 528 in favor, 205 opposed; Voorhees campus - 70 in favor, 31 opposed to the fee increase. New York City Technical College has separate student governments at its Brooklyn and Voorhees campuses. The college president supports the fee increase. There will be a refund provision for NYPIRG in accordance with college and NYPIRG procedures.

Dr. Bernstein abstained.

D. BROOKLYN COLLEGE - STUDENT ACTIVITY FEE INCREASE:

RESOLVED, That the Student Activity Fee paid by College of Liberal Arts and Sciences students at Brooklyn College be increased from $38.50 to $39.50 effective the Fall 1982 semester, and that the portion earmarked for NYPIRG (New York Public Interest Research Group, Inc.) be increased from $2.00 to $3.00, the NYPIRG fee to be allocated by NYPIRG.
EXPLANATION: The NYPIRG fee is used to support the activities of the New York Public Interest Research Group, Inc. whose purpose is to investigate and research public policy issues of special interest to the student membership. A referendum was held in accordance with CUNY Bylaw Section 15.10 (f), in conjunction with student government elections held May 11 through May 14, 1981. The vote was 1,079 in favor and 426 opposed to the increase. The college president supports the fee increase. There will be a refund provision for the NYPIRG fee in accordance with college and NYPIRG procedures. This proposed fee increase initially came before the Board Committee on Student Affairs and Special Programs on June 3, 1981, but was then tabled until the Committee had an opportunity to review the testimony presented at the June 3, 1981 Public Hearing on Student Activity Fees.

Dr. Bernstein abstained.

NO. 9. COMMITTEE ON FISCAL AFFAIRS: RESOLVED, That the following item be approved:

A. CENTRAL OFFICE AND SENIOR COLLEGE AUTOMOBILE LIABILITY INSURANCE:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the Acting Chancellor or his designee to obtain liability insurance coverage for motor vehicles operated by the Central Office and the senior colleges for the fiscal year beginning July 1, 1982, or as soon as possible thereafter, at an annual cost not to exceed $200,000. The Secretary of the Board is authorized to execute all necessary agreements and documents, subject to review and approval by the Vice Chancellor for Legal Affairs.

EXPLANATION: The Attorney General of the State of New York represents the University in all matters in which a tort is alleged to have been committed by a senior college employee in the course of employment, including torts involving automobiles. All New York State owned vehicles carry liability insurance, and the Attorney General has requested the University to obtain this insurance. Failure to obtain such coverage could result in severe economic loss to the State and the University.

NO. 10. STUDENT ACTIVITY FEE POLICY: It was pointed out that there is no longer any judicial restraint on the implementation of the student activity fee bylaw. Acting Chancellor Goldstein reported on concerns expressed by Assemblyman Siegel and Senator LaValle with respect to certain aspects of the Student Activity Fee Policy adopted by the Board a year ago and on meetings held by a representative group from the University with the staffs of the Assembly and Senate Committees on Higher Education on this matter. A letter has been written to Senator LaValle and Assemblyman Siegel in which the Acting Chancellor states the changes in policy that he is prepared to recommend to the Board’s Committee on Student Affairs and Special Programs in the fall. He stated that he had consulted with the Chairperson of the Committee on Student Affairs and Special Programs, the Executive Committee of the Council of Presidents, and other Board members. He further reported that a letter from Assemblyman Siegel has been sent in response to his letter. Mr. Siegel stated that he felt the University is acting in good faith and is off to a good start. However, Assemblyman Siegel asked that the new policy be postponed until October 1. The Acting Chancellor indicated that he had so informed Vice-Chairperson Everett and Dr. Bernstein and Chairperson Murphy. Mrs. Everett and Dr. Bernstein both stated their desire to proceed with the new policy. They indicated that they would be pleased to consider proposed changes in the fall. The Acting Chancellor then stated that he would ask the colleges to immediately implement the new policy.

At this point Mr. Baard left the meeting.

NO. 11. UNIVERSITY STUDENT SENATE CENSURE OF UNIVERSITY: Mr. Marchant read into the record the following censure adopted by the University Student Senate:

As the legal and established representative of C.U.N.Y. students, the U.S.S. has decided to censure the University and the Board of Trustees for the following reasons:

1. Lack of respect for C.U.N.Y. students and their student representatives.

2. Changes in C.U.N.Y. Bylaws in reference to student activity fees that violate the rights of students.
3. Changes in C.U.N.Y. Bylaws in reference to the amendment of 15.6 on Student Health which is very draconian and undemocratic in its construction.

4. The consistent characteristics of this board which seems to be anti-students participation in all facets of students activities within C.U.N.Y.

5. The entire controversy surrounding Medgar Evers College, and the way the entire crisis at Medgar Evers was handled.

6. The blatant exhibition of institutionalized racism which is very pervasive in certain resolutions that is (sic) adopted by central administration.

7. The imposition of a tuition increase that brings tuition at C.U.N.Y. to a higher level than tuition at S.U.N.Y.

8. Violation of C.U.N.Y. Bylaw 15.6 not recognizing the rights of U.S.S.

9. The infinite concentration of power given to the college Presidents by the Central administration.


The Chairperson requested that a comprehensive report on this matter be prepared promptly by the Administration and submitted to the Board but stated that he personally did not regard the Board or the Administration to be in egregious fault in any of the matters specified in the resolution adopted by the University Student Senate and indicated his belief that the Board and the Administration have been strongly supportive of student activities.

The meeting was adjourned at 7:15 P.M. Mr. Marchant voted NO.

MARTIN J. WARMBRAND
Secretary of the Board