Minutes of Proceedings, May 23, 1983

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

HELD

MAY 23, 1983

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

The Chairperson called the meeting to order at 4:38 P.M.

There were present:

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

Paul P. Baard
Blanche Bernstein
Sylvia Bloom
James A. Cavanagh
Armand D’Angelo

Judah Gribetz
Harold M. Jacobs
Jules Kolodny
Albert V. Maniscalco
Robert L. Polk

Henry Wasser, ex officio
Melvin E. Lowe, ex officio

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

Chancellor Joseph S. Murphy
President Milton G. Bassin
President Roscoe C. Brown, Jr.
President Saul B. Cohen
President Flora Mancuso Edwards
President Leon M. Goldstein
President Bernard W. Harleston
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
Senior Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Richard M. Catalano
Acting Vice Chancellor Leo A. Corbie
Vice Chancellor Donald E. Farley
Vice Chancellor Ira H. Fuchs
Vice Chancellor Jerald Posman

The absence of Mr. Rivera and Ms. Titone was excused.
A. PRESIDENT DONNA E. SHALALA: The Chairperson congratulated President Donna E. Shalala on her appointment to the State Council on Fiscal and Economic Priorities.

B. NEW YORK CITY TECHNICAL COLLEGE—BACHELOR OF TECHNOLOGY DEGREE: The Chairperson reported that Assistant Commissioner Nolan of the State Department of Education has informed the University of the Department’s approval for the conferring of the Bachelor of Technology degree at New York City Technical College, subject to the approval of the Governor. This will be the first Bachelor’s degree to be awarded by CUNY Tech.

C. ACTING VICE-CHANCELLOR LEO A. CORBIE: The Chairperson congratulated Acting Vice-Chancellor Corbie, on behalf of the Board, on earning his D.S.W. degree.

D. ELECTIONS TO NATIONAL ACADEMY OF SCIENCES: The Chairperson called on the Chancellor to make an announcement with respect to elections to the National Academy of Sciences. The Chancellor made the following statement:

This evening we have the honor of announcing that two of our distinguished faculty members have recently been elected to the National Academy of Sciences, Professor Melvin Lax, who is a Distinguished Professor of Physics at The City College, and Professor Dennis Sullivan, who is the Albert Einstein Professor of Mathematics at Queens College and the Graduate School. Professor Lax and Professor Sullivan are among the first faculty members from The City University to secure this honor.

Election to membership in the Academy is considered to be one of the highest accolades that can be accorded to any American scientist or engineer. Such election is only conferred upon selected individuals in recognition of their distinguished and continuing achievements in original research. Currently, the total membership of the Academy is approximately 1,400 scholars. Professor Lax will join a select group of 140 physicists and Dr. Sullivan will be one of a select group of 70 mathematicians who are members.

Upon this occasion we wish to congratulate these academicians whose achievements reflect not only upon themselves but upon The City University as well.

Professor Lax and Professor Sullivan were introduced.

Presidents Cohen, Harleston, and Proshansky expressed their pride in the achievements of these distinguished faculty members.

E. RESEARCH GRANTS: The Chairperson announced and congratulated the colleges on the following grants by the National Institutes of Health:

(1) $396,000 to York College for multi-disciplinary research;

(2) $180,000 to Hunter College for chemistry research;

(3) $128,000 to The City College for engineering research.

F. STUDENT HONORS: (1) HERBERT H. LEHMAN GRADUATE FELLOWSHIPS: The Chairperson announced that the following five students from The City University of New York are among the 1983 Lehman Fellowship winners and alternates:
WINNERS
Richard M. Porter Queens College International Affairs
Janene Ponzi Brooklyn College Anthropology

ALTERNATES
Edward S. Cohen Brooklyn College Political Science
Anthony J. Rosaci City College Anthropology
Hector L. Reyes Lehman College Economics

The Lehman Graduate Fellowships were established by the New York State Legislature in the areas of Social Sciences, Public and International Affairs. They provide up to four years of graduate study with a modest stipend. Thirty winners and alternates were selected on a nation-wide basis.

(2) TRUMAN SCHOLARSHIP: The chairperson reported that in 1975 Congress established the Truman Foundation which awards Truman Scholarships each year on a merit basis to college students who show potential for leadership, academic ability, and an outstanding potential for a career in government. It carries a maximum annual award of up to $5,000 to cover tuition and other costs. This year 101 scholarship winners (plus alternates) were selected from each state and United States territory. Of the 200 Scholars and Alternates, five are from New York State. Four winners attend Harvard, Cornell, Dartmouth, and Manhattanville; the fifth is Danielle Follett of Baruch College. The Chairperson congratulated Ms. Follett, who is also the recipient of other academic honors.

(3) AMERICAN FILM INSTITUTE PRIZE: The Chairperson announced that Mr. Willy Matos, a student at The City College, has won a $20,000 prize from the American Film Institute. Over 570 applicants from around the country entered the competition, and only 11 awards were granted. The American Film Institute is the main film grant giving agency of the National Endowment for the Arts. All contestants were required to submit a completed film for the contest as well as the script for a proposed film. Mr. Matos received the prize for his City College senior thesis film, “Tuesday at 2:”, as well as a film script for a proposed movie, “Cry Deaf.” He will use the award to produce “Cry Deaf.” The Chairperson extended the Board’s congratulations to Mr. Matos on this achievement.

(4) SPORTSMANSHIP AWARD: The Chairperson announced that The City College has won the Sportsmanship Award of the Metropolitan New York Group of the Collegiate Basketball Association. The award goes to the team and the coach best exemplifying sportsmanship during the basketball season, as voted by the Metropolitan Basketball Officials. The Chairperson congratulated Coach Floyd Layne, the team, and President Harleston on this accomplishment.

H. KINGSBOROUGH COMMUNITY COLLEGE—SCHOLARLY RESEARCH: President Goldstein reported that after a seven-year search, Dr. Charles Jacobs, a member of the Kingsborough faculty, discovered the alto part in a work by Girolamo Frescobaldi, a composer for the Vatican in the 15th century. The first performance with all parts intact will take place at Goodman House this week as a result of Professor Jacobs’ research.

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 May 23, 1983 (including Addendum Items) be approved as amended as follows:

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(a) PART D—ADDENDUM: Add the following:

D.8. THE CITY UNIVERSITY SCHOOL OF LAW AT QUEENS COLLEGE—APPOINTMENT (ANNUAL SALARY OF $15,000 AND ABOVE) APPROVED BY THE OFFICE OF ACADEMIC AFFAIRS:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>NAME</th>
<th>EFFECTIVE</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assoc. Law Professor</td>
<td>Rhoda Copelan</td>
<td>7/1/83-6/30/84</td>
<td>$40,250/A</td>
</tr>
<tr>
<td>Assoc. Law Professor</td>
<td>Dinesh Khosla</td>
<td>7/1/83-6/30/84</td>
<td>40,250/A</td>
</tr>
<tr>
<td>Assoc. Law Professor</td>
<td>Homer Charles LaRue</td>
<td>7/1/83-6/30/84</td>
<td>40,250/A</td>
</tr>
<tr>
<td>Assoc. Law Professor</td>
<td>Harold A. McDougall</td>
<td>7/1/83-6/30/84</td>
<td>44,750/A</td>
</tr>
<tr>
<td>Assoc. Law Professor</td>
<td>Vanessa Merton</td>
<td>7/1/83-6/30/84</td>
<td>40,250/A</td>
</tr>
</tbody>
</table>

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

EXPLANATION: The University Report consists of standard resolutions and actions 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 May 23, 1983 (including Addendum Items) be approved as amended as follows:

(a) ITEM B16.14, REPORTS (JOHN JAY COLLEGE): Delete resignation of Sidney Harring.

(b) 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. 2X, ORAL REPORT OF THE CHANCELLOR: The Chancellor presented the following comments on matters before the Board at the current meeting and report on matters of Board and University interest:

(1) The Chancellor expressed his dismay and great reluctance on finding it necessary to recommend a financial program which entails a $150 increase in the tuition rate for The City University of New York. It has not come about without an examination of a whole variety of ways of avoiding it. It is part of a long-term problem which the University faces, which is to work with the State in eliciting a rational policy and the implementation of a rational policy with regard to tuition. He realized that this request of the Board comes hot on the heels of an earlier request of the same kind of tuition increase and that these increases have caused many, many students sacrifice and pain. It will be the University’s intention in the future to avoid these increases. Recently, the University gave testimony before Mark Alan Siegel’s Higher Education Committee Task Force on Tuition and Financing of Higher Education in the State of New York. It becomes increasingly evident that the State does not have a consistent or coherent policy with regard to tuition or the implementation of the ‘79 legislation which calls for the lowest possible tuition in public institutions.

(2) The Retrenchment Guidelines before the Board are revised in a way which may remove the University from its seven-year listing on the censure list of the American Association of University Professors. Although the University does not have assurances that this will be so, changes in the Guidelines have been negotiated with the hope and reasonable expectation that the censure will be lifted this June when the A.A.U.P. has its annual meeting.
(3) The Chancellor reported on a recent meeting with Chancellor Anthony Alvarado of the Board of Education. Both felt very strongly that there will have to be long-term and enduring relationships between the University and the Board of Education. The University has a long-term and vested interest in the health and welfare of the school system of the City of New York. Both agreed to work together carefully and consistently to assist the Presidents and the Board of Education to establish such long-term relationships. The Chancellor was impressed with Chancellor Alvarado’s ideas, enthusiasm, and dedication, and his determination to make things work in the school system.

(4) The Chancellor reminded the Board of the nineteen commencements that will be coming up in the next few weeks and echoed the Chairman’s hope that the Trustees would attend as many as possible.

**NO. 3. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the Board meeting of April 25, 1983 be approved with Cal. No. 5B amended to change the period of Dr. Roellig’s fellowship leave to read “six” and not “five” months; and be it further

RESOLVED, That the minutes of the executive session of April 25, 1983 be approved as circulated.

**NO. 4. BOARD MEETING DATES FOR 1983-84 ACADEMIC YEAR:** RESOLVED, That the following schedule of meeting dates be approved for the academic year 1983-84:

<table>
<thead>
<tr>
<th>September 26, 1983</th>
<th>February 27, 1984</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 24, 1983</td>
<td>March 26, 1984</td>
</tr>
<tr>
<td>November 21, 1983 (Third Monday)</td>
<td>April 30, 1984 (Fifth Monday)</td>
</tr>
<tr>
<td>December 19, 1983 (Third Monday)</td>
<td>May 29, 1984 (Tuesday)</td>
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<tr>
<td>January 30, 1984 (Fifth Monday)</td>
<td>June 25, 1984</td>
</tr>
</tbody>
</table>

and be it further

RESOLVED, That the Bylaws of the Board be waived to permit the approval of the above schedule, in view of the fact that five of the above dates do not fall on the fourth Monday of the month as specified in the Bylaws.

**NO. 5. HONORARY DEGREES:** RESOLVED, That the following honorary degrees, approved by the appropriate faculty bodies and recommended by the Chancellor, be presented at the commencement exercises as specified:

<table>
<thead>
<tr>
<th>COLLEGE</th>
<th>CANDIDATE</th>
<th>DEGREE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baruch College</td>
<td>Donald B. Marron</td>
<td>Doctor of Laws</td>
</tr>
<tr>
<td>Brooklyn College</td>
<td>Lester Crow</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>Brooklyn College</td>
<td>Miriam Gideon</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>Brooklyn College</td>
<td>David Weiss</td>
<td>Doctor of Science</td>
</tr>
<tr>
<td>The City College</td>
<td>Walter Mondale</td>
<td>Doctor of Laws</td>
</tr>
<tr>
<td>The City College</td>
<td>Nelson Mandela</td>
<td>Doctor of Laws</td>
</tr>
<tr>
<td>The City College</td>
<td>Bernard Feld</td>
<td>Doctor of Science</td>
</tr>
</tbody>
</table>
COLLEGE                  CANDIDATE            DEGREE
Graduate School    Aldo Gucci          Doctor of Fine Arts
Graduate School    Roald Hoffman       Doctor of Science
Graduate School    Meryl Streep         Doctor of Fine Arts
Graduate School    Albert Shanker      Doctor of Humane Letters
Hunter College     Louise J. Talma      Doctor of Humane Letters
Hunter College     Marian Wright Edelman Doctor of Laws
John Jay College   Ronald Myles Dworkin Doctor of Laws
John Jay College   Joseph P. Fitzpatrick, S.J. Doctor of Laws
John Jay College   Jack Greenberg      Doctor of Laws
Mount Sinai        George Hitchings     Doctor of Science
Mount Sinai        Ludwig Gross         Doctor of Science
Mount Sinai        Arthur Wallen        Doctor of Pedagogy
Mount Sinai        Henry Stratton       Doctor of Humane Letters
College of Staten Island Frank Macchiarola Doctor of Humane Letters
Queens College     G. Arthur Cooper     Doctor of Science
Queens College     Joe Austin           Master of Pedagogy
*City University   Hugh L. Carey        Doctor of Laws
*City University   Harold Howe, II      Doctor of Laws

*Confirmed by Board; to be presented at building dedication.

NO. 6. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT AND CONTRACT REVIEW: RESOLVED, That the following items be approved:

A. NEW YORK CITY TECHNICAL COLLEGE, BROOKLYN CAMPUS - ALTERATIONS AND ADDITIONS:

RESOLVED, That the Board of Trustees of The City University of New York approve service contract with the firm of Edward Durell Stone Associates, P.C. for the preparation of plans, specifications, cost estimates, etc. for an addition and alterations to various buildings on the Brooklyn Campus at New York City Technical College, Project No. NY204-083; 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 the design of the aforesaid addition and alteration project.
EXPLANATION: At its October 25, 1982 meeting, the Board approved a budget request for planning of an addition and alterations at the Brooklyn Campus of New York City Technical College. The 1983-1984 State Capital Budget has included a funding authorization of $2,273,000 for this purpose.

It is intended to close the Voorhees Campus and consolidate its Technology Programs in the Brooklyn Bridge Area Complex, improve existing space and construct a new 100,000 gross square foot facility in the Namm/Perl Complex to accommodate general classrooms and offices displaced as a result of the expansions in other areas as well as those lost as a result of general renovation work elsewhere.

The architectural firm now proposed was selected from among seven firms interviewed in accordance with procedures established by The City University and has been approved by the President of New York City Technical College.

B. YORK COLLEGE - PARKING LOT:

RESOLVED, That the Board of Trustees of The City University of New York approve a service contract with the firm of Greenman-Pedersen, Inc. Consulting Engineers for architectural and engineering services for the design and construction of a New Parking Lot adjacent to Science Building at York College, Project No. YC801-083 at a fee not to exceed $43,500, chargeable to the State Capital Construction Fund.

EXPLANATION: In order to help implement the University's 83-84 Capital Construction Program at York College the office of Greenman-Pedersen, Inc. was selected in accordance with procedures established by the Board of Trustees to provide design and field supervision services for the New Parking Lot at an aggregate estimated construction cost of $300,000. The project consists of the following:

1. Stabilize sloped area, new storm water disposal, new fences, new site lighting, guard house, landscaping, and new 260 car paved area with curbs for the faculty parking.

The Engineering firm of Greenman-Pedersen, Inc. was selected from among six firms interviewed in accordance with procedures established by The City University and has been approved by the President of York College. Said consultant is expected to complete the project within six (6) months.

C. BARUCH AND JOHN JAY COLLEGES - CAPITAL REHABILITATION PROJECTS:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents as prepared by Arthur L. Spaet & Associates, P.C., Engineers/Architects, and authorize the Office of Facilities Planning and Management to advertise, bid and award contracts to the lowest responsible bidders for furnishing all labor, materials and equipment required for construction of various alteration projects at Baruch College and John Jay College of Criminal Justice, Project No. CU916-081 at an estimated cost of $917,000, chargeable to the State Capital Construction Fund.

EXPLANATION: The project consists of:

BARUCH COLLEGE

1. Upgrade Fire Alarm System at 17 Lexington Avenue Building as required by Local Law and Reference Standards of the New York City Building Code. (BA912-081)

2. Upgrade Sprinkler System, including fire tanks, at 155 East 24 Street Building. The sprinkler system has not been activated for some time due to leaking pipes and problems at roof fire tanks. (BA905-081)

3. Replace Air Handlers at 155 East 24 Street Building. Central station air handling equipment is 30 years old and cannot be maintained. (BA913-081)

Sub-total: $737,000
JOHN JAY COLLEGE

1. Install a general drainage system to prevent flooding in the basement. Existing drainage system is insufficient. (JJ911-081)

2. Install a standby pump in parallel with existing domestic water pump to insure more reliable operation. (JJ910-081)

3. Upgrade men’s and women’s bathrooms to meet handicapped requirements. (JJ717-081)

Sub-total $180,000

The estimate of $917,000 includes construction contingencies and cost escalation to bid date.

D. BROOKLYN AND YORK COLLEGES - CAPITAL REHABILITATION PROJECTS:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents as prepared by Castro-Blanco, Piscioneri & Feder, Architects, and authorize the Office of Facilities Planning and Management to advertise, bid and award contracts to the lowest responsible bidders for furnishing all labor, materials and equipment required for construction of various alteration projects at Brooklyn College and York College, Project No. CU754-081 at an estimated cost of $1,238,046 chargeable to the State Capital Construction Fund.

EXPLANATION: The project consists of:

BROOKLYN COLLEGE

1. Renovation of Room 092, Stair Well, provide new seats, interior treatment, lighting, new stage and service lift from the stage to the basement level. (BY770-081)

2. Replace Gershwin Hall roof and repairs on LaGuardia Hall Roof. (BY771-081)

3. New lighting for Room 4200 in Boylan Hall for use as an Art Studio. (BY772-081)

Sub-Total Cost: $398,964

YORK COLLEGE

1. Sanitary Rehabilitation of Hillside Center. (YC726-081)

2. Maintenance Building Repairs. (YC727-081)

3. Auditorium Rehabilitation of Hillside Center. (YC728-081)

4. Installation of Fire Rated Doors at Hillside Center. (YC729-081)

5. Upgrading of lighting for Energy Conservation at Hillside Center. (YC912-081)

6. Enclosure of Elevator Machine Room at Main Building. (YC731-081)

7. Provisions for the Disabled at All Buildings. (YC733-081)

8. Installation of an Elevator in Classroom Building and Hillside Center. (YC914-081 and YC915-081)

Sub-Total Cost: $839,082

The estimate of $1,238,046 includes construction contingencies and cost escalation to bid date.

E. BARUCH COLLEGE, BROOKLYN COLLEGE, AND THE COLLEGE OF STATEN ISLAND - CAPITAL REHABILITATION PROJECTS:

RESOLVED, That the Board of Trustees of The City University of New York, approve the contract documents as prepared by Wank, Adams Slavin Associates, Architects, Engineers, and authorize the Office of Facilities Planning and Management to advertise, bid and award contracts to the lowest responsible bidders for furnishing all labor, materials and equipment required for construction of various alteration projects at Baruch College, Brooklyn College and The College of Staten Island, Project No. CU758-082 at an estimated cost of $1,039,475 chargeable to the State Capital Construction Fund.
EXPLANATION: The project consists of:

BARUCH COLLEGE

1. Replace Roof - 155 East 24th Street. Replace 24,000 sq. feet of roofing, roof flashing including all roof penetrations and replace roof drains. (BA708-082)

2. Waterproof Basement Vaults - 155 East 24th Street. (BA722-082)

3. Gym Gallery Seatings - 17 Lexington Avenue. Remove existing seating and replace with forty (40) new seats. (BA731-082)

Sub Total Cost: $199,970

BROOKLYN COLLEGE

1. Fence Replacement. Remove and replace existing fence around the Athletic Field and the Nostrand Avenue Parking Lot. (BY802-082)

2. Rehabilitation of Physical Educational Facilities in Plaza Building and Roosevelt Hall. Provide new lighting, walls, flooring and ceiling in Racket Ball Courts and Gymnasium. (BY775-082)

3. Window Replacement - LaGuardia Hall. Remove and replace all windows. (BY773-082)

4. Repair Heat Ejection System - Ingenoli Hall. Repair condensers for all temperature control units and provide a functional heat extraction system for all temperature control units. (BY911-082)

Sub Total Cost: $585,940

COLLEGE OF STATEN ISLAND

1. Storm Sewer System Extension - Sunnyside Campus. Provide new drains and storm sewer to existing manhole. (ST754-082)

2. Fire Door Replacement. Modify doors, jambs and install electric hold open devices that are smoke and heat activated to meet Code requirements. (ST748-082)

3. Public Toilet and Nursing Lab Rehabilitation - Sunnyside Campus. Install new toilet stalls, toilet accessories and replace missing mosaic tiles. Replace ceiling and light fixtures. Renovate existing Nursing Lab. (ST741-082)

Sub Total Cost: $253,565

The estimate of $1,039,475 includes construction contingencies and cost escalation to bid date.

F. BARUCH COLLEGE - CAPITAL REHABILITATION PROJECTS:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents as prepared by Justin Architects, and authorize the Office of Facilities Planning and Management to advertise, bid and award the contracts to the lowest responsible bidders for furnishing all labor, materials and equipment required for the construction of various alteration projects at Baruch College, Project No. CU752-081 at an estimated cost of $504,000.00 chargeable to the State Capital Construction Fund.

EXPLANATION: The project consists of: (17 Lexington Avenue)

1. Windows - Phase III (BA742-081) - This work will complete an on-going window rehabilitation program at the College. The work includes replacing the Gym windows, stairway windows and part of the North facade windows. A total of 38 windows.

2. Toilets - Phase II (BA746-081) - A total of 23 toilets will be rehabilitated and upgraded including toilets for the handicapped.

The estimate of $504,000.00 includes construction contingencies and cost escalation to bid date.
G. QUEENS COLLEGE – NEW VEHICLE MAINTENANCE AND STORAGE BUILDING:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents as prepared by Laurence Werfel, Architect P.C. and approved by the Office of Facilities Planning and Management, Department of Technical and Operational Services, and authorize Queens College to advertise for, receive and open bids, and award contract to the lowest responsible bidder for furnishing all labor, materials, supervision and equipment necessary and required for the construction of a New Vehicle Maintenance and Storage Building at Queens College, Project Number QC210-081, at an estimated cost of $250,000, chargeable to the State Capital Construction Fund.

EXPLANATION: The new facility is required to provide space for maintenance and service of college owned vehicles (trucks, vans, tractors, etc.) by the Buildings and Grounds Department. Additional space is provided for the secure storage of ground maintenance supplies and vehicles; additionally an enclosed paved service yard has been incorporated into the overall plan.

Attention has been given to these plans to provide a pleasing exterior facade which will be compatible with the adjacent classroom buildings and future library building which is to be located nearby.

H. HUNTER COLLEGE - PURCHASE OF IBM EQUIPMENT:

RESOLVED, That the Board of Trustees of The City University of New York authorize Hunter College to upgrade its installed IBM 4341-LOI (Group I) CPU to an IBM 4341-P12 (Group 12) CPU, with purchase on a five (5) year Installment Payment Agreement (IPA) at an estimated cost of $6,613.70 per month, totaling $408,828.80 for a sixty (60) month period chargeable to Expense Code 2-212-01-300-806-2 or any such funds subject to financial ability. This purchase is to be effected with the accrued purchase credits on the current lease plan at a net savings, including maintenance service contract, of approximately $2500 per annum.

EXPLANATION: Hunter College recently implemented a state-of-the-art on-line student information system on its installed IBM 4341 Group I CPU utilizing Cullinet data base management system products. In the course of this system development work, CPU utilization on the installed IBM 4341 Group I Processor has been monitored in excess of 95 percent over extended periods of time. During on-line registration, batch processing and programming development has had to be restricted. Additional CPU capacity and performance is needed to allow additional application development work and computer report generation to be processed in a productive and timely manner. In addition, with the successful implementation of its on-line student information system, Hunter College will serve as the central development site for the distribution of this state-of-the-art system to the other CUNY campuses.

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

I. BARUCH COLLEGE - TELEPHONE SYSTEM:

RESOLVED, That the Board of Trustees of The City University of New York approve the specifications and contract documents and authorize Baruch College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for the lease/purchase of a telephone system for all of the buildings occupied by Baruch College, at an estimated cost of $270,000 per year, to be paid over a ten year period, chargeable to Baruch College's budget.

EXPLANATION: The installation of an owned electronic Telephone system will enable the College to save an estimated $2 million over the ten years, based on current telephone costs, and allow for tighter fiscal control and closer monitoring of local and long distance use daily, if necessary. In addition to cost savings, the system provides flexibility in the assignment and use of individual lines and has numerous time-saving features such as call forwarding and queuing. The College will be effectively upgrading its current level of telephone service while saving money. Further, the system will permit the eventual integration of data processing, word processing, and oral communication.

This resolution has the approval of the Vice Chancellor for University Systems.
J. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Trustees approve the contract documents and specifications and authorize the Borough of Manhattan Community College to advertise for, receive, open and award contract to the lowest responsible bidder for Furnishing Guard Service for the period July 1, 1983 through June 30, 1984 with an option to renew for three consecutive one-year periods at an estimated FY 1983-84 cost of $1,403,000, chargeable to code 2-34801-400, Contractual Guard Service and/or such other funds as may be available.

EXPLANATION: The present contract expires June 30, 1983, and continued service is essential.

K. NEW YORK CITY TECHNICAL COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Trustees approve the contract documents and specifications and authorize the New York City Technical College to advertise for, receive, open and award contract to the lowest responsible bidder for furnishing guard service for the period July 1, 1983 through June 30, 1984, with an option to renew for two consecutive one-year periods at an estimated FY 1983-84 cost of $328,600, chargeable to Code 348-01-400.

EXPLANATION: The present contract expires June 30, 1983, and continued service is essential.

L. THE COLLEGE OF STATEN ISLAND - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize The College of Staten Island to advertise for, receive and open bids, and award contract to the lowest responsible bidder for uniformed guard service at all locations of The College of Staten Island for the period July 1, 1983, through June 30, 1984, with the option to renew for two (2) consecutive years, at an estimated cost of $515,304 chargeable to Code 70-486052-1A-84-55950 (234801400), and/or such other funds as may be available.

EXPLANATION: The current uniformed guard service contract will expire June 30, 1983. As responsible and properly performed uniform guard service is essential to the well-being of the college community, it becomes necessary to advertise for and award this guard service contract to the lowest responsible bidder.

M. THE COLLEGE OF STATEN ISLAND - SHUTTLE BUS SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize The College of Staten Island to advertise for, receive and open bids, and award contract to the lowest responsible bidder for Shuttle Bus Service, for the period July 1, 1983 through June 30, 1984, with the option to renew for two (2) consecutive years, at an estimated cost of $122,433.00 chargeable to code 70-486052-1A-84-55950 (226701400).

EXPLANATION: The College of Staten Island developed a shuttle system which allows students to take courses at both the Sunnyside and St. George Campuses (a distance of approximately three miles). The shuttle bus service is required to enable students and staff to move safely between the two campuses.

N. THE COLLEGE OF STATEN ISLAND, ST. GEORGE CAMPUS - CLEANING AND MAINTENANCE SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize The College of Staten Island to advertise for, receive and open bids, and award contract to the lowest responsible bidder for Cleaning and Maintenance Service as required at the St. George Campus, for the period July 1, 1983, through June 30, 1984, with the option to renew for two (2) consecutive years, at an estimated cost of $450,000 chargeable to code 70-486052-1A-84-55950 (217701400), and/or such other funds as may be available.

EXPLANATION: The College of Staten Island, St. George Campus, since its inception, has always contracted for the general cleaning and daily maintenance services required for the safety and health of faculty, staff and students.
O. KINGSBOROUGH COMMUNITY COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Trustees of The City University of New York authorize Kingsborough Community College to award contracts to the lowest responsible bidder for supplying Uniformed Guard Service as required by Kingsborough Community College for the period July 1, 1983 to June 30, 1984 with the option to renew the contract each year for a maximum of three (3) such renewals on the same terms and conditions stipulated in the original contract except for raises in union or labor law prevailing wage rates, in the estimated amount of $565,500 of which $514,500 is chargeable to Code 2-348-01-400 and/or such funds as may be available, subject to financial ability, and $51,000 is chargeable to non-tax levy funds.

EXPLANATION: The present contract expires June 30, 1983 and continued service is required.

Mr. D'Angelo raised the question of a new campus for Baruch College and urged that the Board make every effort to see that this is expedited. The Chairperson stated that this matter has a high priority on the list of problems before the Board. Possible alternatives are continuing to be explored with the leadership of the College and staff members.

Dr. Polk asked that the University lead the way in adopting a policy with respect to rehabilitation and construction projects which would advocate joint ventures between minority and majority contractors. Vice-Chancellor Farley agreed to look into the matter with an eye to making recommendations in this area.

NO. 7. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH: RESOLVED, That the following items be approved:

A. LAGUARDIA COMMUNITY COLLEGE - A.S. DEGREE - DIETETIC TECHNICIAN PROGRAM IN NUTRITION CARE SERVICE:

RESOLVED, That the Dietetic Technician Program in Nutrition Care Service leading to the A.S. degree, to be offered at LaGuardia Community College, be approved, effective September, 1983, subject to financial ability.

EXPLANATION: Dietetic Technicians trained at the associate degree level work under the supervision of a Registered Dietitian or an Administrator and Consulting Registered Dietitian in either one of the following two specialty areas: Food Service Management and Nutrition Care Service. Training in the first area has been offered at LaGuardia since 1978. The College is now requesting permission to institute a degree program in the second specialty, namely Nutrition Care Service.

B. LEHMAN COLLEGE - INSTITUTE FOR THE STUDY AND PROMOTION OF LITERACY:

RESOLVED, That there be established at Lehman College an Institute for the Study and Promotion of Literacy whose purpose will be to coordinate and extend research activities and projects in the field of literacy at the College.

EXPLANATION: Lehman College presently offers a number of academic programs at both the bachelor's and master's level that concern the teaching of literacy skills. The College also actively supports research and outreach activities in this area, in part through the New York City Writing Project, a regional unit of the National Writing Project, that is based at Lehman. The proposed Institute for the Study and Promotion of Literacy will permit the College better to coordinate its varied activities related to the acquisition of literacy, including the processes of reading, writing, listening, and speaking.
NO. 8. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved:

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

<table>
<thead>
<tr>
<th>COLLEGE</th>
<th>NAME</th>
<th>DEPARTMENT</th>
<th>PERIOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baruch College</td>
<td>Wartofsky, Marx</td>
<td>Philosophy</td>
<td>9/1/83–8/31/84</td>
</tr>
<tr>
<td>Graduate School</td>
<td>Levitt, Harry</td>
<td>Speech and Hearing Sciences</td>
<td>6/1/83–8/31/83</td>
</tr>
<tr>
<td>Kingsborough Community College</td>
<td>Jacobs, Charles</td>
<td>Music</td>
<td>6/1/83–8/31/83</td>
</tr>
</tbody>
</table>

Professors Wartofsky, Levitt, and Jacobs were introduced, and Presidents Segall, Proshansky, and Goldstein commended their achievements.

B. BYLAW AMENDMENT: RESOLVED, That Bylaw section 11.28 be amended as follows:

Section 11.28 [LECTURER (PART-TIME) A. Position Definition: A Lecturer (part-time) shall perform teaching or research duties. Such duties shall not exceed seven teaching hours a semester, or fifteen research hours a week. These duties shall be performed under the general supervision of a designated member of the instructional staff. No more than three annual appointments shall be made to this position.

b. Qualifications: For appointment as a lecturer (part-time), a person shall have at least a baccalaureate degree from an accredited institution. He/she shall be currently engaged in working towards his doctorate.]

GRADUATE ASSISTANT A, GRADUATE ASSISTANT B. A. Position Definition: A graduate assistant shall perform teaching, teaching-related or research duties. A graduate assistant "A" shall have an assignment of a maximum of 240 contact teaching hours or 450 hours of non-teaching assignments during the work year. A graduate assistant "B" shall have an assignment of a maximum of 120 classroom teaching hours or 225 hours of non-teaching assignments during the work year. These duties shall be performed under the general supervision of a designated member of the instructional staff. No person shall be appointed to the title graduate assistant more than three years consecutively except when special permission is requested by the executive officer of the doctoral program in which the student is enrolled and the chairman of the department in which he is employed. In no instance shall such extensions be granted for more than two additional appointments. Appointments may be for less than one year.

b. Qualifications: For appointment as graduate assistant "A" or "B," a person shall have at least a baccalaureate degree from an accredited institution. He/she shall be currently engaged in working toward his/her doctorate and be in good standing in his/her program. In those disciplines in which the city university of New York offers a doctoral program, when a CUNY doctoral student enrolled in such discipline is available and qualified, only such student may be employed in the titles graduate assistant "A" or "B."

NOTE: Matter underlined is new; matter in brackets to be deleted.

EXPLANATION: Bylaw section 11.28 describes duties and qualifications for Lecturer (Part-time), the predecessor title for doctoral students appointed to the titles Graduate Assistant "A" and "B" recognized in the collective bargaining agreement between the University and the Professional Staff Congress/CUNY. The position definition establishes job duties, duration of appointment and workload limitations. Qualifications are established which strengthen the University's commitment to employ available and qualified CUNY doctoral students. This amendment is recommended by the Council of Presidents.
C. UNIVERSITY GUIDELINES AND PROCEDURES FOR DISCONTINUANCE OF INSTRUCTIONAL STAFF PERSONNEL MANDATED BY FINANCIAL EXIGENCY: The Guidelines were moved by Dr. Jacobs and seconded by Prof. Wasser.

Professor Wasser made the following statement for the record:

The Faculty Senate's position on Retrenchment Guidelines has been worked out over a number of years. It has been presented by the Senate Chairman before the Council of Presidents and twice before the Board Committee on Faculty, Staff and Administration with the Chancellor present and participating. The Board Committee voted to ask the Chancellor to take the Senate's view under advisement in preparing the final version of the retrenchment guidelines that are before us. Unfortunately, the Chancellor did not incorporate in any substantive way the Senate's statements except with respect to the grounds for appeal.

Four basic items that the Senate would like to see incorporated in the present document before the Board are:

1. There should be two documents: one dealing with financial exigency or stringency and a separate document dealing with academic reorganization. In the second the faculty must play a major role since academic programs are primarily a faculty responsibility.

2. A cardinal collegial principle is that faculty name its own representatives to committees. The document before the Board has the President select the faculty representatives on the campus committee relevant to the retrenchment process.

3. Humane considerations alone would determine that retrenched faculty should not have to pay for transcripts when they appeal, should retain office space, library privileges and other associations with the colleges and university for at least a year after dismissal solely for financial reasons.

4. The time of notification of dismissal for non-tenured faculty should be extended.

In reply, the Chancellor stated that the document was drafted in an attempt to have the University removed from the censure list of the American Association of University Professors, an attempt which was partly generated by the University Faculty Senate's efforts in the past. The Chancellor had agreed, after Board passage of these Guidelines, to discuss administrative protocols that might deal with some of the issues raised. As a term and condition of employment, the Retrenchment Guidelines were negotiated with the Professional Staff Congress and the American Association of University Professors. The document can be examined in the future to make it more acceptable to other constituencies. It was negotiated with the appropriate groups for a specific purpose.

The Retrenchment Guidelines were approved as follows:
GUIDELINES AND PROCEDURES FOR DISCONTINUANCE
OF INSTRUCTIONAL STAFF PERSONNEL
MANDATED BY FINANCIAL EXIGENCY

These retrenchment guidelines and procedures apply only to discontinuances of personnel whose appointments are in effect and are intended to protect the rights of affected personnel. They do not apply to the normal processes for the non-reappointment of instructional staff persons.

A financial exigency, for the purpose of these guidelines, is an imminent fiscal crisis which will cause great and irreparable harm to the academic programs of The City University of New York or one of its constituent colleges if it is not alleviated. The discontinuance of staff personnel shall be implemented as a last resort only after the pursuit of other less drastic means to alleviate the impact of a fiscal exigency.

Discontinuance of personnel shall be undertaken only after other measures to avoid discontinuances have been explored and implemented to the extent practicable, consistent with the Board of Trustees' and the Chancellor's responsibilities to govern the University, to carry out the academic program of the University and to provide a safe and appropriate environment for the faculty, students and staff.

Discontinuances of personnel may be necessitated when the fiscal resources of the University or its constituent units are insufficient to meet the operating costs required to maintain the educational mission of the University or its constituent units (i.e., the condition of fiscal exigency). Discontinuances of personnel may be necessitated for institutional reasons as described in Section 6212.8 of the Education Law of the State of New York. In the former situation, the discontinuances may occur within a relatively brief period of time. In the latter situation, the discontinuances may occur within a relatively brief period of time. In the latter situation, the discontinuances would generally occur over a long span of time. In either circumstance, affected persons will be notified as early as possible but in no foreseeable event would the notification time be less than twelve months for tenured Professors, Associate Professors, Assistant Professors, Instructors, persons in the College Laboratory Technician series, Registrars and Lecturers with Certificates of Continuous Employment; six months for non-tenured Professors, Associate Professors, Assistant Professors, Instructors, persons in the College Laboratory Technician series, Registrars, and Lecturers without Certificates of Continuous Employment; sixty (60) days for persons in the Higher Education Officer series, for persons in the Business Manager series, for Research Assistants, Research Associates and Substitutes (full-time).

Discontinuance of personnel on grounds of financial exigency may be required at one or several units rather than at all of them. These guidelines are intended to be followed in either case.

I. CHANCELLOR'S CONSULTATION, RECOMMENDATION, AND BOARD DETERMINATION TO DISCONTINUE INSTRUCTIONAL STAFF IN THE UNIVERSITY OR ANY CONSTITUENT UNIT

A. CONSULTATION BY CHANCELLOR

When the President of a college, in consultation with her or his appropriate faculty committee(s) forsees budgetary and/or financial difficulty the magnitude of which suggests the possibility that these guidelines may need to be invoked, then she/he shall so inform the Chancellor. The Chancellor, having determined in consultation with college President(s) that financial exigency is likely to necessitate retrenchment of members of the instructional staff shall consult with the Council of Presidents, officials of the University Faculty Senate, of the Professional Staff Congress, and of the University Student Senate.
B. CHANCELLOR'S REPORT AND RECOMMENDATION TO THE BOARD OF TRUSTEES

Following this process of consultation, the Chancellor shall report to the Board of Trustees on his/her findings and on the consultative processes conducted by him/her. The report shall also include the Chancellor’s recommendation that the discontinuance of instructional staff personnel whose appointments are in effect in the University or any of its constituent colleges* be authorized by the Board of Trustees.

C. BOARD OF TRUSTEES ACTS UPON CHANCELLOR'S REPORT

The Board of Trustees shall review and consider the Chancellor’s report and recommendations. Authorization for the implementation of the Chancellor’s recommendations regarding the discontinuance of personnel whose contracts are in effect is the responsibility of the Board of Trustees.

D. CHANCELLOR INFORMS UNIVERSITY COMMUNITY

Following the Board’s authorization for the discontinuance of personnel, the Chancellor shall inform the University community through notice to the Presidents, the Professional Staff Congress, the University Faculty Senate, and the University Student Senate. The Chancellor shall also transmit to the President of each of the affected colleges the Chancellor’s determination that the University’s retrenchment guidelines shall be invoked at that institution.

II. GUIDELINES AND PROCEDURES FOR THE DEVELOPMENT AND IMPLEMENTATION OF RETRENCHMENT PLANS AT THE CONSTITUENT COLLEGES OF THE UNIVERSITY

A. PRESIDENT CONVENES AD HOC COMMITTEE

Following Chancellor and Board actions as outlined in I. above, the President shall convene an ad hoc College-wide Committee, which shall be designated by the President and shall include representatives of appropriate constituent groups including College Personnel and Budget Committees, other teaching and non-teaching members of the instructional staff, including those currently serving as elected members of existing college bodies, members of the non-instructional staff, students, the Affirmative Action Officer and administrators of the College. It shall be the responsibility of this ad hoc Committee to make recommendations to the President for the development of a Retrenchment Plan for the College. Each member of the Committee is expected to participate fully in its deliberations; the President shall chair the Committee. Final decision-making with respect to the Plan rests with the President.

B. PRESIDENT AND MEMBERS OF COLLEGE-WIDE COMMITTEE CONSULT WITH THE COLLEGE COMMUNITY

The President** of each college, with the members of the College-wide Committee, separately or collectively, shall consult with representative groups on campus. The President is responsible for determining what programs or activities are to be curtailed or terminated. In making those determinations, she/he shall take into consideration the views expressed by appropriate faculty, staff, and student representatives.

*The term “constituent colleges” as used throughout these Guidelines is meant to include the seventeen colleges, the Graduate School and University Center and the Central Office.

**References to the President and to the College shall be deemed references to the Chancellor and the University Staff, respectively, in the case of the Central Office.
C. PRESIDENT DEVELOPS AND DISTRIBUTES RETRENCHMENT PLAN

The President is then responsible for developing a written retrenchment plan to be distributed to the college community through department chairpersons and non-academic officers of the college responsible for recommending the appointment of persons in the HEO, Business Manager and other non-academic titles. The plan shall be amended from time to time as required.

D. THE COLLEGE RETRENCHMENT PLAN

The College Retrenchment Plan shall set forth the reasons why reduction or termination of academic or non-academic service is required. A timetable for the accomplishment of retrenchment shall be included in the plan.

The plan shall clearly identify the department, (or office or programmatic function where a departmental characterization is not possible) within which discontinuances will be made, as well as the number of discontinuances in each department (or other retrenchment unit), and the period of notice to be given to affected individuals.

The President shall transmit the Plan to the Chancellor along with a report on the process of participation and consultation with respect to the development of the Plan. The Plan shall not become effective until ten working days after submission to the Chancellor, unless the effective date of the Plan is delayed by direction of the Chancellor.

The President’s completed plan shall be circulated to members of the college-wide committee, with opportunity for comment, before being submitted to the Chancellor.

III. AFFIRMATIVE ACTION

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

Although cognizant of the need for reductions in personnel during a time of financial exigency, the Board of Trustees nevertheless reaffirms its commitment to these laws and regulations to ensure nondiscrimination in the treatment of affected classes. Accordingly, the Board stresses the importance of following affirmative action principles in the implementation of these Guidelines, and requires that:

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

Specifically, each President shall provide to his/her affirmative action officer a list of persons proposed to be discontinued. The officer shall in turn submit to the President a comprehensive, statistical assessment of the college’s work force which reflects the retrenchment actions.
B. Within three weeks of implementing retrenchment decisions, each college President shall submit to the Chancellor an impact statement analyzing the college's new work force profile. Specifically, this impact statement shall reflect the work force inventory of the college, the impact of discontinuances upon women and minorities (by a number and percent) within that work force, and the rate at which each affected class has been retrenched. This statement shall have appended to it the college's (revised) utilization analysis and, wherever so indicated by the statistical analyses, a set of goals and timetables for promotions and/or new hires by appropriate affirmative action units.

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

IV. INSTRUCTIONAL STAFF PERSONNEL—GENERAL PRINCIPLES

A. THE DEPARTMENT (OR OTHER UNIT) FOR RETRENCHMENT PURPOSES

Pursuant to the Board of Trustees Bylaws, the basic unit for retrenchment purposes within the University is the academic department of the college. Where a college has a divisional or program organization, the divisional or program organization characterized by its own personnel and budget or other equivalent personnel committee, may be the appropriate unit. For other than academic departments, the appropriate unit may be an administrative department, office, or functional unit. Each college must identify its units of retrenchment for its instructional staff.

B. GENERAL PRINCIPLES FOR DISCONTINUANCE OF INDIVIDUAL PERSONNEL

Once the unit or function to be retrenched has been identified, and it has been determined that personnel must be separated from service, then the following general principles for discontinuance of individuals obtain. In making decisions as to which member or members of a department should be separated from service, individual tenure status assumes primacy according to the State Education Law and the Bylaws of the Board of Trustees. Within a given department, any staff member with tenure, regardless of other academic considerations, must be retained over a person who does not have tenure. However, a tenured employee may be discontinued while a non-tenured employee in a different department may be retained.

Non-tenured employees who may be affected by retrenchment may have received prior notices of appointment or reappointment. Appointments or reappointments rescinded or shortened as a result of retrenchment do not indicate or suggest that these specific discontinuations were the result of negligence or unprofessional conduct.

C. CRITERIA TO BE APPLIED FOR THE DISCONTINUANCE OF INDIVIDUALS WHO ARE MEMBERS OF THE INSTRUCTIONAL STAFF

Retrenchment among instructional staff members holding the same or similar positions should take place in the following order within the department (or other retrenchment unit). Whenever the length of service of two or more persons is the same, the ordering among them rests with the judgment of the President.
1. ADJUNCT STAFF

a. Individuals with initial appointments who have not yet started work.

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

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

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

e. Other individuals who are not CUNY doctoral candidates and who have no additional employment in the inverse order of length of service.

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

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

2. RESIDENT SERIES

Persons employed in titles in the Resident Series shall be discontinued in inverse order of length of service in the Resident Series, except for special educational reasons.

3. NON-TENURED AND NON-CERTIFICATED INSTRUCTIONAL STAFF—ALL TITLES

a. Persons who have received letters of appointment for initial hire but who have not started their terms of employment are not covered by the notification provisions as set forth in these guidelines.

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

4. LECTURERS (FULL-TIME) WITH CERTIFICATES OF CONTINUOUS EMPLOYMENT

Full-time instructional staff members holding Certificates of Continuous Employment shall be discontinued in accordance with Article 6.12 of the Bylaws before any employee holding statutory tenure.

5. TENURED INSTRUCTIONAL STAFF

Tenured members of the instructional staff shall be discontinued after all non-tenured persons, including persons holding Certificates of Continuous Employment in the department. The provisions of subdivision 11 of Section 6212 of the Education Law, Section 6.9 of the Bylaws, and Rules and Procedures for Preferred Eligible Lists are applicable to these titles.

*The term "special educational reasons" as used throughout these Guidelines means a reason which is non-discriminatory against a person and is related to the needs of the retenishment unit or college.

**Continuous service shall be deemed to include periods of continuous service prior to approved leaves of absence without pay, but the periods of leaves of absence without pay shall not be counted.
D. PERSONS IN EXCLUDED TITLES AND FUNCTIONS

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

E. CONTINUING EDUCATION TEACHERS

Employees with assignments in the title, Continuing Education Teacher, shall be discontinued as the specific courses which they are teaching are abolished. In the event that there are simultaneous sections or classes in the particular subject, employees shall be discontinued in inverse order of seniority within the Continuing Education Program at the individual college in CUNY in the title, Continuing Education Teacher.

V. IMPLEMENTATION OF THE COLLEGE RETRENCHMENT PLAN — NOTIFICATION OF INDIVIDUALS TO BE DISCONTINUED

A. The President, in accordance with the College Retrenchment Plan and the criteria for discontinuance of appointments set forth above, having determined the number of positions to be abolished in each department (or other retrenchment unit), shall notify the persons whose appointments are to be discontinued.

B. If an entire function, office, or department is to be abolished, or if the number of positions to be abolished is exactly equal to the number of non-tenured or non-certificated personnel in the unit, the President shall notify the affected persons of the discontinuance of their appointments in accordance with the provisions of the Retrenchment Plan. The President shall also notify the affected persons of the effective date of discontinuance and indicate that the action resulting from the need for retrenchment was not the result of negligence or unprofessional conduct. Discontinuances within the circumstances described in this section require no further justification.

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

D. Notification of discontinuance of appointment shall be by certified mail. If the certified letter is returned undelivered, regular mail shall be used, and the notification date determined by the certified letter shall obtain.

E. Discontinued individuals shall have notice mailed not later than fifteen working days after the submission of the college's Plan to the Chancellor unless the effective date is delayed by the Chancellor. In the latter case, notice shall be mailed not later than fifteen days after the effective date of the Plan established by the Chancellor.
For tenured and certificated members of the instructional staff, discontinuance of appointment shall be effective not less than twelve months including annual leave after the date of mailing of notification or such date as specified in the letter, whichever is later.

For non-tenured and non-certificated members of the instructional staff, discontinuance of appointment shall be effective not less than six months including annual leave after the date of mailing of notification.

In the event a person has received or is scheduled to receive a notice of reappointment or non-reappointment, the earlier of the dates of either non-reappointment or discontinuance pursuant to these Guidelines shall prevail.

VI. REVIEW AND APPEALS PROCEDURE

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

B. A special retrenchment review committee or committees shall be established by the President after consultation with the ad hoc College-wide Committee to consider all retrenchment appeals submitted. Each such committee shall be composed of no less than three tenured* members of the instructional staff of the college. No member of a department P&B Committee, the ad hoc Committee, or other person who has formally participated in the recommendation of the discontinuance of an individual to the President shall participate in the consideration of or decision on the appeal of such person.

In the Central Office, the Staff Review Committee shall be the special retrenchment review committee, except that no Vice Chancellor shall participate in the consideration of or decision on the appeal of a person within the area of his or her jurisdiction.

C. The affected individual may appeal and present evidence to the retrenchment review committee on one or more of the following grounds:

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

2. Where the determination was made on the basis of special educational reasons, that the reason given was applied in an arbitrary and capricious manner.

3. That the applicable department (or other unit) for retrenchment was arbitrarily and capriciously determined.

D. Persons whose appointments have been discontinued pursuant to these Guidelines and Procedures may request to meet with the committee, present relevant evidence and be represented by counsel or a representative from within the University.

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

*Membership on retrenchment review committees shall be drawn from faculty and staff who have been elected to and are currently serving on standing college bodies, such as a college faculty council or senate.
F. The Committee shall make a report and recommendations to the President for transmission to the Chancellor or his designee who shall make the final decision and notify the appellant (by certified mail) and the President. The Chancellor's designee shall not be chosen from the college from which the appellant was discontinued.

VII. COLLECTIVE BARGAINING GRIEVANCE AND ARBITRATION PROVISIONS

Nothing in these guidelines shall impair any rights which may exist concerning grievance and arbitration provisions of collective bargaining agreements.

VIII. GENERAL NOTES AND COMMENTS

A. A person whose position is discontinued shall receive the value of his/her remaining accumulated annual leave in a lump sum after the effective date of discontinuance. In the event there is sufficient time between the date of notice and the effective date of discontinuance, the employee may be required to use up accumulated annual leave.

If a person meets the requirements for retirement leave as set forth in Section 13.3 of the Bylaws and notice of intent to retire is provided to the college not less than thirty days prior to the effective date of discontinuance, such leave shall be provided.

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

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

D. Persons whose services are discontinued pursuant to these Guidelines and Procedures cease to be employees of the University as of the date of discontinuance. Notices of non-reappointment for future periods should not be sent to such persons. Notwithstanding the foregoing, a person discontinued pursuant to these guidelines and procedures may be appointed for a future period pursuant to the normal appointment procedures or pursuant to the Rules and Procedures for Preferred Eligible Lists.

E. The rights of recall as specified in Sections 6.11 and 6.14 of the Bylaws of the Board of Trustees shall be applicable to any individual whose position is discontinued as a result of the application of these Guidelines.

At this point Dr. Kolodny left the meeting.
MINUTES OF PROCEEDINGS, MAY 23, 1983

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

A. VOORHEES ENDOWMENT FUND:

RESOLVED, That the Board of Trustees of The City University of New York authorize the expenditure of a sum not to exceed $600,000 of income from the Voorhees Endowment Fund, for the purchase of educational supplies and expenses; equipment and Temporary Services to support the Technical and Industrial educational programs of the New York City Technical College during the fiscal year 1983-84.

EXPLANATION: The 1983/84 budget did not provide the requested increases in expenditures to support the academic programs of this college. It is, therefore, necessary to continue the use of the interest earned from the Voorhees Endowment Fund for this purpose. Under the terms of the court order which transferred the assets of the Voorhees Technical Institute to the Board of Higher Education, "Income from the Endowment Fund, . . . shall be used by the Board of Higher Education to support the Technical and Industrial educational programs in such areas as Library Resources, Educational Equipment, Supplies and Materials, Student Financial Aid, Facilities Renovation and other items that will improve Technical and Educational programs."

At this point Dr. Kolodny returned and Mr. Gribetz joined the meeting.

B. 1983-84 TUITION INCREASE: Vice-Chancellor Posman explained the components of the tuition increase and the reasons necessitating it.

Mr. D’Angelo stated that the members of the Committee and indeed all the Trustees do not like to see a tuition increase but have come to the conclusion that there is no other way to continue to build the University than by approving the increase.

The resolution was moved and seconded.

Mr. Lowe made the following statement:

We are gathered here today to undertake a course of action predetermined by politicians. You are about to give your blessing to tuition increases you all claim to consider obnoxious. When will these no doubt sincere words translate into equally sincere actions? Our colleague, Mrs. Everett, stated at the May 16th public hearing on the 1983-84 tuition increase that there is no one on the Board or in the Administration who is not offended by the perceived need to increase tuition.

Are you really all that offended? And if so, why add injury to your offendedness by becoming the agents of those who have given us this injurious tuition increase? I am not picking on the words of the Honorable Mrs. Everett. Only that since she speaks for all of the offended she has given voice to my feelings also. Where I deviate from my brethren, the offended, is in my reaction towards the offense. Unlike you, my very honorable colleagues, I will not become an accomplice of the offenders. I will not vote for a tuition increase, ill-conceived, ill-advised, ill-executed and not needed.

Our colleague’s words refer to “being offended by the perceived need to increase tuition.” Whose perceptions of need is this Board buying into? Is it the perceptions of those elected officials who get into office by promising relief to the poor and middle classes, accompanied by a humane approach towards the funding of social and educational programs and who, once elected, become easily convinced of the error of their good and decent impulses?

Why is this Board, this Administration, this University, not being so forceful in taking its case as offended guardians of the traditions of accessible public higher education to the people of this City? Why this conspiracy of
paralysis? Why have you abandoned your righteousness, your will to fight and your primary responsibilities as Trustees of this University to the combined efforts of administrative technocrats and political hacks? Will we ever learn that the politicians love nothing better than to manipulate unpopular decisions by deflecting attention somewhere else? And here you are, manipulated into imposing a tuition increase offensive to all! Collaborators, therefore, in the act of offending yourselves and the CUNY community.

How I wish there were an oath we all should take, upon assuming our posts as Trustees, an oath that would bind us to the principles of accessible higher education to all, cutting across racial or economic prejudices, giving advantages equally to all New York citizens, be they poor, middle class or rich. I wish, in short, to have each one of us reflect upon our mandates and rededicate ourselves to the great ideals upon which this University was founded.

The idea of free tuition was ravaged by the political hyenas who attacked it successfully only when they observed that the agitation of the victim was going to be minimal. Very well! So that round was lost! But is this body ever going to develop a backbone? Have you come to accept tuition increases as a normal state of affairs? Has your apparent pragmatism turned to callousness, or despair?

In this particular instance you have allowed the Governor’s figures and the Mayor’s projections to cloud the facts as understood by equally honorable men who beg to differ with the conclusions put forth by Governor and Mayor and even our own Administration, conclusions which have brought us this tuition increase.

We are a member of the Committee for Public Higher Education. The Committee serves as a research and information coalition of the community. Its advocacy is intended to guide this Board through recommendations based on a wealth of information available through extensive research.

How is this body responding to the professional recommendations offered by the CPHE? At best with neglect, at worst with contempt! The Chairman of the Committee, Dr. Forster, begged this Board at its May 16th public hearing to reexamine its unfortunate decision to impose a community college tuition increase, offering a workable alternative to the increase plan. Result? The Board has turned a deaf ear to his pleas and his plans! Why are the politicians’ solutions considered as the last word in conventional wisdom? Why are you selling out to the wolves? The more you give in without a royal fight, the more they will keep biting away at CUNY’s reason for being.

When the resolution for passage of the tuition increase was sent to us, our own Office for Budget and Finance also included surveys to show comparisons between costs at CUNY and those at SUNY and at private universities. This, of course, is done to show us all how much better off we really are when compared to others, even with the increase. This argument is wearing thinner with the passage of every new increase.

I for one am sick and tired of being made to feel that there is somehow something shameful in our being different, in our unique status and mission. It is because of our differences that we should remain as a viable, inexpensive alternative to SUNY and the privates. It is not CUNY’s responsibility to lead in establishing a practicable system of higher education which breaks the chains of economic elitism which should otherwise bind all prospective students. Yes! We are different! This has been the distinguishing mark of our system. Why won’t you fight to preserve it at times like this?

We, the students of CUNY, and we, the student leaders of CUNY, have been given the primary responsibility for combating this and other tuition increases. We have not given up! Although the burden falls on us mainly, and although we gladly accept it, I will state that my constituency bears an unfairly large part of the burden.
If, indeed, it is to be the students who should be at the forefront of these battles, then we should also have a larger number of seats on this Board, not just one! We'll gladly take over the fight from you! Although the Honorable Seymour Posner complained that the thousands of students who protested in Albany did not seek out their legislators, but demonstrated on the steps of the Capitol, I answer his complaint by saying: At least thousands made it to the steps of the Capitol. I ask: Where were your constituencies, your busloads? Are there no other interested groups in this City that benefit from CUNY's low tuition policies? Did you or the members of the Central Administration do everything in your power to organize those opinion molders and power centers so as to stop the legislators from offending your sensitivities?

You represent communities served by CUNY. Where were your organizing efforts? Where the buses filled with captains of industry? Where, the stockbrokers, bankers, political organizers, housewives, clergy?

You know how effective is the political muscle of the groups mentioned, all of whom benefit directly or indirectly from low CUNY tuition. Why were these guns not brought out to make a stand, once and for all, that clarifies to the Legislature our commitment to an inexpensive, quality higher education? Why has everyone given in so easily, damn it?

The Governor's indexing system for tuition at CUNY was convincingly exposed by the CPHE as shoddy research at best. Despite this and the possibility that the statistical data was manipulated by the Governor's Office to serve its own ends, indexing became the great argument in favor of tuition increases.

The Inquisition also had its indexing system. Any book placed in the index was a banned book. The Governor's indexing may have the effect of banning prospective students from ever handling books with college level material. And this Board will vote this evening to go along with the Governor's idea of fairness! If some people suffer financial difficulties, should this be made a criterion for University access? Is higher education only for the affluent? Are the poor being taught to petition for the right to advancement through higher education?

We must let the people know that the rape of CUNY continues. This task falls upon our collective shoulders as members of the Board of Trustees. You may think "rape of CUNY" are strong words; maybe they are. For if we think of CUNY as edifices, administrators, faculty and equipment, CUNY is not raped. But by denying educational opportunities to the poor and working class of New York—except by petition, needs testing and now Solomon rules—are we not cutting off the great promise of American opportunity...And by this sanction of tuition fees we unknowingly support a policy of sophisticated slavery upon the citizens of New York City.

Mr. Lowe moved to table Cal. No. 9B until the Board of Estimate votes on the Mayor's budget. The motion was seconded. The motion failed with Mr. Baard, Dr. Polk, and Mr. Lowe voting YES and the rest of the Trustees present voting NO.

Mr. Baard moved that the Board vote separately on tuition increases for part-time and full-time students. The motion was seconded but failed with Mr. Baard, Dr. Polk, and Mr. Lowe voting YES and the rest of the Trustees present voting NO.

Professor Wasser made the following statement for the record:

The Faculty Senate's position on tuition increase is expressed by the Executive Committee's view and its committee member's decision to abstain on the votes that took place in the Board's Committee on Fiscal Affairs.

Every year since the imposition of tuition in City University, we engage in a procedure whereby the State declares that CUNY's budget will be reduced by the amount the proposed tuition increase will produce if the Board does not vote the increase.
The State apparently expects the Board each year, however reluctantly, to consent to its proposed tuition increase. The time has come, it seems to me, when this process so damaging to our students has to stop.

Mr. Lowe moved that the Board consider separately a tuition increase for the senior colleges and the community colleges since the Mayor’s budget has not yet been approved and the funding mechanism for the community colleges differs from that of the senior colleges. The motion failed for lack of a second.

Mr. Baard moved that the Board consider separately a tuition increase for State residents and non-residents. The motion failed for lack of a second.

The following resolution was adopted:

(1) WHEREAS, The State 1983-84 Adopted Budget assumes tuition and fee revenues of $136.6 million to support the senior college budget appropriation; and

WHEREAS, To avoid $5.5 million of net community college budget reductions contained within the 1983-84 City Executive Budget that would severely harm academic quality, student services and maintenance of facilities; therefore be it

RESOLVED, That senior and community college undergraduate tuition charges adopted May 24, 1982 (Cal. No. 9) be amended so that tuition for resident full-time undergraduate students at senior and community colleges be $612.50 per semester, an annual increase of $150; and that the tuition charge for the undergraduate part-time students be $46, an increase of $6 per hour; and that non-resident undergraduate tuition be increased by an additional $300 above the current rate and the $150 resident increase for full-time students and $15 more for part-time students; and be it further

RESOLVED, That all tuition increases be effective for all regularly scheduled semesters or quarters beginning after July 1, 1983:

UNDERGRADUATE TUITION AND FEE SCHEDULE

New York State Residents

| Full-time  | $612.50 per semester |
| Part-time  | 46.00 per credit |

Non-State Residents (incl. foreign students)

| Full-time  | $1,012.50 per semester |
| Part-time  | 76.00 per credit |

Full-time students take 12 credits or equivalent contact hours. Part-time students take fewer than 12 credits or the equivalent.

(2) RESOLVED, That the tuition rates established May 24, 1982 (Cal. No. 9) for graduate students enrolled in master’s and doctoral degree programs beginning Fall 1983 semester be amended as outlined below:

MASTER’S TUITION AND FEE SCHEDULE

1. TUITION

New York State Residents

| Full-time  | $937.50 (semester) |
| Part-time  | 81.00 (per credit) |
| Excess contact hrs. | 36.00 (per contact hour) |
Non-State Residents (including Foreign Students)

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<th>N.Y. State Residents</th>
<th>Out-of-State Residents</th>
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<tbody>
<tr>
<td>Full-time</td>
<td>$1,337.50 (semester)*</td>
<td>$1,337.50</td>
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<tr>
<td>Part-time</td>
<td>116.00 (per credit)</td>
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<tr>
<td>Excess contact hrs.</td>
<td>51.00 (per contact hour)</td>
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2. Maintenance of Matriculation $237.50 (semester-Resident)
   307.50 (semester-Non-Resident)

*Maximum charged full-time and part-time students

GRADUATE SCHOOL AND UNIVERSITY CENTER TUITION AND FEE SCHEDULE

I. DOCTORAL STUDENTS

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<tr>
<th>Level</th>
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<th>N.Y. State Residents</th>
<th>Out-of-State Residents</th>
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<tr>
<td></td>
<td></td>
<td>Rate per Semester</td>
<td>Rate per Semester</td>
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<tr>
<td>Level I</td>
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</tr>
<tr>
<td>Full-time - 7 credits or more</td>
<td>$937.50</td>
<td>$1,337.50</td>
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<tr>
<td>Certified-full-time</td>
<td>937.50</td>
<td>1,337.50</td>
<td></td>
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<tr>
<td>Part-time - fewer than 7 credits but not certified full-time</td>
<td>487.50</td>
<td>712.50</td>
<td></td>
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<tr>
<td>Certified half-time</td>
<td>487.50</td>
<td>712.50</td>
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<tr>
<th>Level II</th>
<th></th>
<th>Rate per Semester</th>
<th>Rate per Semester</th>
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<tbody>
<tr>
<td>All Students</td>
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<td>737.50</td>
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<tr>
<th>Level III</th>
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<th>Rate per Semester</th>
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<tr>
<td>All Students</td>
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<td>237.50</td>
<td>307.50</td>
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Per-credit charge for elective coursework, to be paid in addition to $237.50/$307.50 flat fee: $81.00 per credit, $116.00 per credit.

II. MASTER'S STUDENTS

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<th>Level</th>
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<th>N.Y. State Residents</th>
<th>Out-of-State Residents</th>
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<tr>
<th>Level II*</th>
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<th>Rate per Semester</th>
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<tr>
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<td>437.50</td>
<td>677.50</td>
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<th>Level III**</th>
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<th>Rate per Semester</th>
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<td></td>
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<td>237.50</td>
<td>307.50</td>
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*Level II - From 30 credits to completion of required coursework.
**Level III - From completion of required coursework to completion of all degree requirements.

EXPLANATION: The State Adopted Budget for senior colleges assumes an increase of tuition of $18.7 million to maintain the operating budget level. Without this increase, reductions would have to compensate, dollar for dollar, for revenues not raised. Therefore, tuition increases of $150 for full-time students and $6 per credit for part-time students are recommended for residents. The non-resident surcharge would increase by $300 for full-time students and $15 per credit. In addition, $2.2 million is included in the budget for computer instructional equipment to be funded from tuition revenues. The State Budget recommends that this
$2.2 million be raised from the imposition of a $25 per FTE student computer fee. Although computer instructional equipment is needed, this type of fee could result in financial hardships to students. Therefore, this fee is not recommended for implementation but rather any revenue overcollection above $136.6 million should be utilized for this purpose. The 1983-84 City Executive Budget calls for community college budget reductions of $7.6 million if there is no increase in tuition revenue. The University can generate $2.1 million of additional revenue from overenrollment. Therefore, the net reduction in services would be $5.5 million necessitating significant service cuts in all areas. To avoid such reductions at a time of increased enrollment, tuition is recommended to increase by the same amount as suggested for the senior colleges. This would raise $6.0 million in revenue - $5.5 million to cover the reductions and $500,000 for inflationary non-personnel needs, buildings repairs, library books, and equipment replacement.

Dr. Bernstein, Mrs. Bloom, Mr. Cavanagh, Mr. D'Angelo, Mrs. Everett, Mr. Gribetz, Dr. Jacobs, Dr. Kolodny, Mr. Maniscalco, and Mr. Murphy voted YES; Mr. Baard, Dr. Polk, and Mr. Lowe voted NO. Mr. Baard asked that the record show that his negative vote was due to his objection to an increase in the tuition for part-time students.

Mr. Murphy called attention to the fact that the Board had approved faculty appointments to The City University School of Law at Queens College and commended President Cohen and Dean Halpern for their efforts in connection with the establishment of the Law School and the fine group of faculty appointments that they recommended.

Upon motions duly made, seconded and carried, the Board went into executive session to consider personnel matters and litigation issues.

The meeting was adjourned at 5:52 P.M.

MARTIN J. WARMBRAND
Secretary of the Board.
MINUTES OF THE EXECUTIVE SESSION OF
THE BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK
HELD
MAY 23, 1983
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN

The Chairperson called the executive session to order at 6:00 P.M.

There were present:

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

Paul P. Baard
Blanche Bernstein
Sylvia Bloom
James A. Cavanagh
Armand D’Angelo

Judah Gribetz
Harold M. Jacobs
Jules Kolodny
Albert V. Maniscalco
Robert L. Polk

Henry Wasser, ex officio

Melvin E. Lowe, ex officio

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

Chancellor Joseph S. Murphy

The absence of Mr. Rivera and Ms. Titone was excused.

NO. E1. PERSONNEL MATTERS: No action.

Upon motions duly made, seconded and carried, the executive session was adjourned at 6:40 P.M.

MARTIN J. WARMBRAND
Secretary of the Board