In the absence of the Chairperson, the Vice-Chairperson called the meeting to order at 4:41 P.M.

There were present:

Edith B. Everett, Vice Chairperson

Blanche Bernsteln
Sylvia Bloom
Marla Josefa Canino
Gladys Carrion
Michael J. Del Gludice
Stanley Fink
William R. Howard
Harold M. Jacobs
Calvin O. Pressley
Thomas Tam
Brenda Farrow White

Gregorio Mayers, ex officio
Shirley Ullman Wedeen, ex officio

Martin J. Warmbrand, Secretary of the Board
Michael D. Solomon, Acting General Counsel and Vice Chancellor for Legal Affairs
Etta G. Grass, Assistant Secretary of the Board

Chancellor Joseph S. Murphy
Deputy Chancellor Laurence F. Muccillo
President Milton G. Bassin
President Raymond C. Bowen
President Roscoe C. Brown, Jr.
President Leon M. Goldsteln
President Matthew Goldsteln
President Bernard W. Harleston
President Robert L. Hess
President Edison O. Jackson
President Augusta Souza Kappner
President Shirley Strum Kenny
Acting President Tilden J. LeMelle
President Leonard Lief

President Gerald W. Lynch
President Harold M. Proshansky
President Isaura S. Santiago
President Kurt R. Schmeller
President Joel Segal
President Edmond L. Volpe
Sr. Vice Chancellor Donal E. Farley
Vice Chancellor Ira Bloom
Vice Chancellor Joyce Brown
Vice Chancellor Jay Hershenson
Vice Chancellor Carolynn Reid-Wallace
Dean Haywood Burns
Dean George I. Lythcott

The absence of Mr. Murphy and Mr. Cencl was excused.
A. AD HOC COMMITTEE ON SELECTION OF TRUSTEE EMERITUS: In the absence of Mr. Cenci, the chairperson of the Committee, Mrs. Bloom stated that the Committee had voted unanimously for the elevation of Dr. Baard to Trustee Emeritus status. Upon motions duly made, seconded and carried, the following resolution was adopted:

TRUSTEE EMERITUS - PAUL P. BAARD

WHEREAS, Dr. Paul P. Baard served as a Trustee for nine years, by appointment of the Governor, and was, throughout his service on the Board, a strengthening bulwark and a major contributor to the deliberations of the Board and to the conduct of the affairs of the University, focusing in particular on improved access to graduate studies for working students; and

WHEREAS, as Vice-Chair of the Standing Committee on Faculty, Staff and Administration, he helped to preside over the re-examination of the policy for the future responsibilities of the committee in the 1984 re-structuring of all Board Standing Committees; and

WHEREAS, Dr. Baard served with exemplary dedication and diligence as the Vice-Chair of the Faculty, Staff, and Administration Committee which also served as the Interim CUNY Civil Service Commission until the permanent Civil Service Commission was formed in 1988; and

WHEREAS, During his tenure, Dr. Baard served on numerous Board committees, including the Standing Committee on Academic Policy, Programs and Research; the Standing Committee on Faculty, Staff and Administration; the Standing Committee on Student Affairs; Special Presidential Search Committees for The City College, La Guardia Community College, Medgar Evers College, and Queens College; and

WHEREAS, Dr. Baard made substantial contributions to the sub-committee on Public Affairs in asserting the quality of our faculty in CUNY's advertising campaign; and

WHEREAS, Dr. Baard generously gave to CUNY presidents the benefits of his experience and advice in advertising, management, psychology, and strategic planning; and

WHEREAS, The termination of the active service of Dr. Paul P. Baard as a Trustee of The City University must be marked as a milestone in the history of the Board of Trustees, and of The City University of New York as he was the first alumnus of a CUNY community college to serve as a Trustee;

THEREFORE BE IT RESOLVED, That the Board Of Trustees of The City University of New York expresses its heartfelt appreciation and gratitude to the Honorable Paul P. Baard for his nine years of unflagging devotion to public higher education and to The City University of New York; and

BE IT FURTHER RESOLVED, That the Honorable Paul P. Baard be designated Trustee Emeritus.

As chairperson of the Committee on Faculty, Staff, and Administration, Dr. Jacobs praised Dr. Baard's service as vice-chairperson of the Committee. Commendations of Dr. Baard were also made by Mrs. Everett, who stated that it was a pleasure to work with him over many years and that he always did what he thought was right for the University, and by Dr. Bernstein, who spoke of his zealous endeavors as a member of the Committee on Academic Policy, Program, and Research.

Dr. Baard was presented with a framed copy of the resolution, and in accepting it, detailed the history of his association with the University, starting with his studies at Queensborough Community College, and voiced his gratification at the friendship and collegial relations he had enjoyed with the other Members of the Board. He also expressed appreciation for the services rendered to him and the rest of the Board by the Office of the Secretary.
B. NEW YORK CITY TECHNICAL COLLEGE - PRESIDENT-DESIGNATE: The Vice-Chairperson introduced and welcomed Dr. Charles Merideth, President-Designate of New York City Technical College, and his wife, Rebecca Ann.

Dr. Merideth stated that he was very happy and excited about his appointment to the presidency of New York City Technical College. He was prepared and ready to meet the many challenges that he expected to find there, but as he had said at his interviews, he thought that this institution was positioned for greatness, and he was prepared to provide the leadership to see it that that happens.

C. ACTING PRESIDENT TILDEN J. LEMELLE - APPRECIATION OF SERVICES: The Chancellor read a resolution expressing appreciation for the services of Acting President LeMelle. Upon motions duly made, seconded and carried, the following resolution was adopted:

WHEREAS, Tilden J. LeMelle has served with distinction as Acting President of New York City Technical College of The City University of New York since September of 1988; and

WHEREAS, He has provided exemplary leadership during this time, nurturing and extending the college’s academic programs and links to the community and business; and

WHEREAS, His achievements at the college include the establishment of a foundation for international development in the Caribbean basin and an International Visitors Program through the African-American Institute, the Phelps-Stoke Foundation and the Institute for International Education; and

WHEREAS, Immediately prior to this, he served with distinction as Acting President of Hunter College from January to August of 1988, while on leave from his position as Provost of Hunter College; therefore be it

RESOLVED, That the Board of Trustees of The City University of New York extends its deepest appreciation to Tilden J. LeMelle for his dedication and service to New York City Technical College and Hunter College.

Acting President LeMelle expressed his gratitude to the Board and the Chancellery for having given him the opportunity again to be - as Chancellor Murphy has referred to him - the designated hitter at one of the University’s Institutions. If there is any sense of appreciation and thanks that he has, he thought it has been expressed in the choice of someone like Charles Merideth to take over the helm at City Tech, to be all the things that Acting President LeMelle believed he needed and that the College needed. He commended the Search Committee and the Board and the Chancellor for having made such a fine choice. He wished Dr. Merideth good luck.

D. PRESIDENTIAL HONORS: (1) The Vice-Chairperson reported that Pres. Isaura Santiago Santiago of Hostos Community College has been accorded the following honors:


(b) Appointed one of five members of a steering committee guiding a $10 million national research project by the Ford Foundation on the teaching and learning of mathematics.

(c) Appointed by the Pew Foundation as a member of the Board of Higher Education Research Program, a distinguished group of twenty scholars that issues periodic reports on higher education in a publication entitled Perspectives.

(2) The Vice-Chairperson reported that Pres. Augusta Kappner of Borough of Manhattan Community College has been accorded the following honors:

(a) Appointed by Governor Cuomo to serve on the Advisory Commission on Child Care.

(b) Appointed to membership on the newly created Commission on Minority Education of the American Association of Community and Junior Colleges, the national professional association for community colleges.
E. VICE-CHANCELLOR FOR ACADEMIC AFFAIRS: The Vice-Chairperson reported that Dr. Carolynn Reid-Wallace, Vice-Chancellor for Academic Affairs, was named by the White House in February, 1988 to a six-year term on the National Council of the National Endowment for the Humanities. In November, 1989, Vice-Chancellor Reid-Wallace was named Vice-Chair of the Council for a two-year term starting in January, 1990.

F. STUDENT HONORS: The Vice-Chairperson reported that the following graduate students have received awards under the Fulbright Scholar Program for study in the countries named in 1989-90:

   Jeffrey Cole, Graduate School and University Center: Italy.
   Richard Hara, Graduate School and University Center: Japan.
   David Williams, Graduate School and University Center: Bolivia.
   Paul Carthy, Hunter College: West Germany.

G. DEATH OF FORMER ACTING PRESIDENT OF THE CITY COLLEGE: The Vice-Chairperson reported with regret the death of Dr. Joseph J. Copeland, who served as Acting President of The City College from May 12, 1969 through August 31, 1970 during a very difficult and trying time in the College's history. She offered condolences to the survivors in Dr. Copeland's family.

H. GRANTS: The Vice-Chairperson presented for inclusion in the record the following report of grants received by units of the University:

1. Graduate School and University Center: The Graduate School and University Center has received the following grants:
   (a) $200,000 from the N.Y.S. Education Dept. to Dr. Bert Flugman for the Occupation Education Leadership Training Program.
   (b) $199,951 from the Social Security Administration to Dr. Alan Gartner for the Collaborative Employment Program for SSI Youth.
   (c) $146,761 from the U.S. Dept. of Education to Profs. William Kornblum and Helen Birenbaum for Model Computer-Based Instruction for Inner City Youth.
   (d) $100,000 from the N.Y.S. Education Dept. to Dr. Bert Flugman for the Program Implementation Center.
   (e) $90,000 from the N.Y.S. Education Dept. to Dr. Bert Flugman for the Supercenter Staff Development Program.
   (f) $55,000 from the National Science Foundation to Dr. Bert Flugman for the City College Regional Center for Minorities.
   (g) $50,000 from DeWitt Wallace-Readers Digest Fund, Inc. to Dr. Alan Gartner for the Career Beginnings Program.
   (h) $50,000 from the Foundation of the Milken Families to Profs. Seymour Lachman and Barbara Heller for Public–Nonpublic School Collaborative: 1989-90.

2. City University School of Medicine: The City University School of Medicine has received the following grants:
   (a) $300,000 from the Aaron Diamond Foundation to M. Slater for the Gateway to Higher Education Program.
   (b) $140,000 from the Dewitt Wallace Fund to M. Slater for the Gateway to Higher Education Program.

3. Baruch College: Baruch College has received the following grants:
   (a) $399,364 from N.Y.S. Dept. of Social Services to Prof. H. Jack Shapiro, Center for Management, for Child Support Enforcement Training.
(b) $49,000 from National Archives - National Historical Publications and Record Commission to Dr. Elaine Pascu, Albert Gallatin Papers Project, for Project Support.

(4) Brooklyn College: Brooklyn College has received the following grants:

(a) $265,964 from N.Y.S. Education Dept. to Jean Gilbert and Leon LoMonaco, School of Education, for the Brooklyn College Liberty Partnership.

(b) $174,996.75 from N.Y.S. Education Dept. to Thomas Monteiro, School of Education, for the Principals' Center at Brooklyn College (Renewal Award).

(c) $118,210 from U.S. Dept. of Education to Milga Morales-Nadal, School of Education, for Brooklyn College Educational Personnel Training Program.

(d) $90,000 from the National Science Foundation to Kenneth McAloon and Carol Tretkoff, Computer and Information Science Dept., for "Constraints, Logic Programming and Rule-Based Systems."

(e) $70,000 from N.Y.C. Board of Education to Elvira Tarr, School of Education, for Project Scope (Renewal Award).

(f) $69,929 from the National Science Foundation to Rohit Parikh, Computer and Information Science Dept., for "Applications of Logic to Computer Science" (Continuation Award).

(g) $55,000 from N.Y.S. Education Dept. to Fitzgerald Bramwell, Chemistry Dept., for Collegiate Science and Technology Entry Program at Brooklyn College (Renewal Award).

(5) The City College: The City College has received the following grants:

(a) $560,614 from the National Institutes of Health to Pres. Bernard W. Harleston for Cellular/Molecular Basis of Development Research Center.

(b) $370,000 from the N.Y.S. Education Dept. to L. Beckum, Education Dept., for Strengthening the Contexts for Schooling: The City College, Roosevelt High School and District with FIT.

(c) $256,908 from The Fund for the Improvement of Postsecondary Education (FIPSE) to Prof. Paul Sherwin, Dean of Humanities, for "The City College World Civilizations Core: Faculty and Curriculum Development."

(d) $186,545 from the U.S. Dept. of Education to D. Morgan for Title III: IAP-Strengthening Institutions Programs.

(e) $176,000 from the National Science Foundation to R. Callender, Physics Dept., for "Raman Spectroscopic Studies of Guanine Nucleotide Binding Proteins."

(f) $173,498 from the Municipal Assistance Corporation to O. Patterson, Elementary Education Dept., for Skills and Language Development at CCNY.

(g) $166,121 from the National Institutes of Health to M. Fishman, Chemistry Dept., for MARC Honors Undergraduate Research Training Program.

(h) $148,964 from The Fund for the Improvement of Postsecondary Education (FIPSE) to Prof. Millicent Roth, Special Programs, and Prof. Michael Weiner, Chemistry Dept., for "A Program for Access to Science Study (PASS)."

(i) $140,000 from the National Science Foundation to R. Pfeffer for Research Careers for Minority Scholars Program.

(j) $108,035 from the National Science Foundation to G. Sivashinsky, Levich Institute, for Problems in Flame-Flow Interaction.
(k) $100,000 from N.Y.S. Energy Research and Development Authority to S. Ahmed, Electrical Engineering Dept., for "Low Maintenance Infrared Vehicle Sensor for Traffic Control."

(l) $96,201 from N.Y.S. Education Dept. to O. Patterson, Elementary Education Dept., for Skills and Language Development Program.

(m) $87,327 from the National Science Foundation to H. Cohn, Mathematics Dept., for "Computation in Modular Functions."

(n) $80,725 from N.Y.S. Education Dept. to M. Roth, SEEK Dept., for Collegiate Science and Technology Entry Program(C-STEP).

(o) $60,000 from Army Research Office to A. Alfano, Physics Dept., for "Ultrafast Processes in Tunneling Microstructure Devices."

(p) $50,000 from the Dept. of Energy to G. Sivashinsky, Levich Institute, for "Topics in Physico-Chemical Hydrodynamics."

(6) College of Staten Island: The College of Staten Island has received the following grants:

(a) $270,000 from N.Y.S. Education Dept. to Elsa Nunez-Wormack for the Liberty Partnerships Program.

(b) $225,000 from U.S. Dept. of Education to Elsa Nunez-Wormack for Partnerships for the Future.

(c) $199,111 from the Dept. of Energy to Felix Cardegna for Strengthening Institutions.

(d) $175,000 from N.Y.S. Office of Mental Retardation and Developmental Disabilities to David Soifer for CDN Fellowships.

(e) $79,773 from U.S. Dept. of Education to Mirella Affron for "Language, Liberal Arts & Commerce."

(f) $65,000 from U.S. Dept. of Agriculture to Ruth Stark for "Molecular Structure of Plant Cuticle."

(7) Hunter College: Hunter College has received the following grants:

(a) $201,000 from the American Cancer Society to Richard Franck, Chemistry Dept., for "Synthesis of Aziridine Antitumor Antibiotics."

(b) $172,301 from Marrow-Tech, Inc. to Brian Naughton, School of Health Sciences, for Bone Marrow Research.

(c) $161,283 from the National Institute of General Medical Sciences to Gary Quigley, Chemistry Dept., for "Nucleic Acid Structure and Environment."

(d) $110,000 from the Ford Foundation to Frank Bonilla, Centro de Estudios Puertorriqueños, for Inter-University Program for Latino Research.

(e) $107,510 from the National Institute on Aging to Victoria Luine, Psychology Dept., for "Hormonal Influences on Forebrain Cholinergic Systems."

(f) $107,193 from the American Planning Assn, to Eugenie Birch and Peter Salins, Urban Affairs Dept., for Editorship of the Journal of the American Planning Association.

(g) $100,000 from Dr. Louis and Anne Bass Schneider to establish the Anne Bass Schneider Endowment to support both a lectureship and scholarships in the Jewish Social Studies Program.
(h) $99,415 from the National Institute of Child Health & Human Development to Cheryl Harding, Psychology Dept., for "Hormonal Activation of Social Behavior."

(i) $92,125 from Mt. Sinai Medical Center/National Institute of Occupational Safety and Health to David Kotelchuck, School of Health Sciences, Educational Resource Center: Occupational Hygiene.

(j) $82,000 from the Estate of Rita Sherman, $9,100 to the Library for books in Hispanic Literature and $72,900 to endow the Rita Sherman Memorial Fund for Romance Languages to support stipends for guest lecturers and awards to deserving students.

(k) $75,000 from the Samuel and Rae Eckman Foundation to Pres. Paul LeClerc for Respite Program, Brookdale Center on Aging.

(l) $70,000 from the Carnegie Corporation to Frank Bonilla, Centro de Estudios Puertorriquenos, for Inter-University Program for Latino Research.

(m) $67,768 from N.Y.S. Education Dept. to John O'Neill, Educational Foundations, for Supporting the Transition Process in Deaf-Blind & Blind Youth.

(n) $63,909 from the Office of Naval Research to Ann Henderson, Biological Sciences Dept., for "Exposure of Human Cells to Electromagnetic Fields."

(o) $60,000 from Health Research, Inc. to Nicholas Freudenberg, School of Health Sciences, for Center for Community Action to Prevent AIDS.

(p) $56,000 from the Electric Power Res. Inst. to Ann Henderson, Biological Sciences Dept. for "Relationship of Chromosome Structure & Behavior to Chromosome Aberration."

John Jay College of Criminal Justice: John Jay College of Criminal Justice has received the following grants:

(a) $210,509 from the Alcohol, Drug Abuse, and Mental Health Administration to Roberta Blotner, Office of Planning and Development, for renewal of the CUNY Training for Early Intervention Project.

(b) $176,795 from the U.S. Dept. of Education to Roberta Blotner, Office of Planning and Development, for "Preparing Educational Personnel in Prevention."

(c) $140,000 from the U.S. Dept. of Education to Karen Delucca, Office of Sponsored Programs, for an Upward Bound Program to provide tutoring, counseling, special course work, and college prep activities for 50 low-income high school students from four(4) neighboring schools.

(d) $63,000 from N.Y.C. Transit Authority to James Cohen, Public Administration and Economics Dept., for Public Administration courses for Transit Authority Managers.

York College: York College has received the following grants:

(a) $114,143 from U.S. Dept. of Education to Dr. Howard T. McGee, Natural Sciences Dept., for Minority Science Improvement Program.

(b) $75,000 from N.Y.S. Dept. of Education, VEA to Vice-Pres. James Hall/Mr. Ronald Thomas, Adult & Continuing Education, for ACCESS Center.
Borough of Manhattan Community College: Borough of Manhattan Community College has received the following grants:

(a) $420,170 from The City University and the Human Resources Administration for an English as a Second Language program for welfare recipients.

(b) $120,412 from the Regional Education Center for Economic Development and the N.Y.S. Education Dept. to provide training for minority and women contractors to bid on Dept. of Housing Preservation and Development construction contracts.

(c) $100,000 from the N.Y.S. Education Dept. to provide counseling support services for adult education students.

(d) $30,000 from the Aaron Diamond Foundation and The City University to develop an evening nursing program.

(e) $74,653 from the Regional Education Center for Economic Development and the N.Y.S. Education Dept. for an office automation for minority law firms program and a program to train minority and women contractors to bid on Port Authority construction contracts.

(f) $70,000 from the Ford Foundation to Dean Richard Jones for the Pre-Freshman Intersession Program(Joint Account with CUNY Central).

(g) $67,297 from N.Y.S. Education Dept. VEA to Laura Higgins, Educational Opportunity Center, for disadvantaged students.

(h) $51,208 from N.Y.S. Education Dept., a VEA grant, to Dean Sandra Poster for support programs for handicapped students.

(i) $50,000 from the New York State Education Dept., a VEA grant, for a CASSET program.

Kingsborough Community College: Kingsborough Community College has received a grant of $225,000 to Dean Milton Drucker, Profs. August Tuosto and Laxman Kanduri, to establish a consortium between The City University and the Marine Products Export Development Authority, Government of India, to provide a specialized training program for Indian seafood industry personnel in American Seafood business and technology.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 8)

**NO. 1. UNIVERSITY REPORT:** RESOLVED, That the University Report for January 29, 1990 (including Addendum Items) be approved as revised as follows:

(a) Addendum Item D20: Item withdrawn.

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

**EXPLANATION:** The University Report consists of the highlights of the personnel actions 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 January 29, 1990 (including Addendum Items) be approved as revised as follows:

(a) 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 report on matters of Board and University interest:

(a) The Mayor's Financial Plan is due on February 1, at which time the Mayor will include in his Financial Plan proposals for the budget of the community colleges of The City University. The Chancellor had an opportunity to meet with the Mayor and all the Deputy Mayors on January 27, at which point an appeal was made on the PEG reductions of the current year, PEG 1 and PEG 2, which might have resulted at one point in a total reduction of dollars available for expenditures in the community colleges of $17 million. That has now been reduced, as a consequence partly of some negotiations with the Office of Management and Budget as well as with the Mayor directly, to about a $9 million PEG reduction. The Mayor was responsive to the arguments on behalf of the necessity to provide resources for the community colleges. He is well aware of the role played by the community colleges in the City, and, after expressing appreciation for the reduction to about $9.6 million, the University will continue to seek further reductions. The proposal for early retirement authorized by the Board was made, and it had been made to the State as well. It was also indicated that the University had other flexibilities in mind with regard to the funding of the community colleges that the City ought to support. The Mayor was receptive to these proposals, and there will be ample opportunity to negotiate with the Mayor and his colleagues as the season goes on. The argument that was made often in the past was made once again that all State aid from the State for the community colleges should be retained by the University for the purposes intended by the State Legislature, and, secondly, the hope was expressed that in the future PEG reductions against the community college budgets will be against the City's portion alone and not the State's portion and the tuition portion, as has been the practice of the City in the past. This was as warm a reception as the University has seen at Gracie Mansion, and the Chancellor was very appreciative for the understanding, but the University will press on to seek to maximize the resources that are required for the operation of the community colleges.

(b) With regard to the Executive Budget of the State, the University is in the thirty-day amendment period. Vice-Chancellor Vivona has submitted those items that the University would like reexamined. A number of these items will have to be addressed as they pertain to the University's ability to fund these various programs with an expectation of constancy over time. He referred particularly to the curious practice of asking the City to fund the entire program at New York City Technical College, which a decade ago the Legislature intended to see funded wholly from State dollars on the grounds that it functioned in the same way in which other technical and agricultural colleges in the State of New York function. It is believed that a strong case will be made in the thirty-day period for reconsideration of that action. There are similar items in the budget that will be addressed once again during the thirty-day period and assiduously pursued.

(c) The Chancellor stated that it was unfortunate that while the Board was meeting, Dr. Johnnetia Cole, President of Spelman College, was receiving an honorary degree at Hunter College. He expressed pleasure that the Board had approved this award but regretted his inability to be present since the graduation exercises conflicted with the Board meeting.

(d) The Chancellor noted with sadness the passing of a former Member of the Board of Trustees, Lewis Mumford, literary critic, historian, city planner, writer. His contributions to culture and literature were too extensive to recount except to mention that Lewis Mumford attended the evening session at City College and came close to completing his bachelor's degree. Nevertheless, he did become a Member of the Board of Higher Education of this University and served with distinction from December 23, 1935 to June 29, 1937.

NO. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the regular Board meeting and of the executive session of November 27, 1989 and of the special Board meeting and of the executive session of January 4, 1990 be approved.

Calendar No. 5 was considered at this time.
NO. 5. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved:

A. VISITING DISTINGUISHED PROFESSOR: RESOLVED, That Malcolm MacCallum be designated Visiting Distinguished Professor of Physics at Queens College for the period 9/1/91-1/31/92, with compensation of $20,000 per annum in addition to his regular academic salary, subject to financial ability.

B. WORKERS' COMPENSATION COVERAGE FOR STAFF IN EXECUTIVE COMPENSATION PLAN TITLES:

RESOLVED, That effective February 1, 1990, members of the staff who are in titles within the Executive Compensation Plan shall be covered by Workers' Compensation on the same basis as other members of the instructional staff.

EXPLANATION: Workers' Compensation coverage has now been made applicable to all other members of the Instructional Staff, and, for the same reasons of policy, Workers' Compensation should also be made applicable to employees in titles within the Executive Compensation Plan.

Mr. Howard asked why this plan had not been approved previously and what the impact on the budget would be. Vice-Chancellor Bloom stated that the 1987-90 collective bargaining agreement extended workers' compensation coverage to the instructional staff, and this is the last group of employees within the system that have not been covered by workers' compensation. This will result in savings on the long term because it will eliminate lawsuits by employees, which was the previous remedy that the employee had when injured in the course of employment. This now provides workers' compensation coverage for all employees in the system. In reply to another question from Mr. Howard as to how many individuals are covered, Vice-Chancellor Bloom stated that the entire work force in the system was 28,000 people, and this segment covers about 280 people.

C. MEDGAR EVERS COLLEGE:

(1) NAMING OF LECTURE HALL

RESOLVED, That the 75-seat lecture hall located in the 1650 Bedford Avenue Building of the Medgar Evers College campus be named the Norman B. Johnson Lecture Hall.

EXPLANATION: Until his death in 1986, the late Norman B. Johnson, Esquire, a founding member of the Medgar Evers College Community Council, believed strongly that the community should be a part of the College. A former president of the Brooklyn Urban League and the Brooklyn Chapter of the National Association for the Advancement of Colored People (NAACP), Dr. Johnson organized the first chapter of the Medgar Evers College NAACP. He was totally dedicated to Medgar Evers College and the community it was created to serve. Consequently, the naming of the 75-seat lecture hall in Dr. Johnson's honor is enthusiastically recommended by the Medgar Evers College Community Council, unanimously approved by the Medgar Evers College Council, and recommended by the President of the College.

(2) NAMING OF A ROOM WITHIN THE TUTORIAL CENTER:

RESOLVED, That one of the tutoring rooms within the Tutorial Center located in the 1650 Bedford Avenue Building of the Medgar Evers College campus be named the Carl Mosely Tutoring Room.

EXPLANATION: Carl Mosely, an extraordinary student and a gifted teacher, represented the best of Medgar Evers College. In his work as a tutor in philosophy, he showed exceptional dedication to the needs of students enrolled in the College's required logic course, consistently volunteering his time for many hours of unpaid work on weekends and in the evenings in addition to his regular hours. During the three years of his service as a tutor, the performance of students in Philosophy 101 improved noticeably. At the time of his death, Mr. Mosely was
working with the Director of the Tutorial Center to introduce computer-assisted instruction in logic. His significant contributions to the education of many Medgar Evers College students are widely acknowledged by former students. As a tutor, he exemplified qualities of dedication, intellectual seriousness, and skill that should be a model for all tutors, as well as for students and professors. The naming of the room in Mr. Mosely's honor is enthusiastically recommended by the Medgar Evers College Council and by the President of the College.

Dr. Jacobs stated that the Committee on Faculty, Staff, and Administration will review carefully the naming of rooms in all the colleges.

D. BROOKLYN COLLEGE – NAMING OF ROOM IN BOYLAN HALL:

RESOLVED, That Room 4227 Boylan Hall at Brooklyn College be named the J. Robert Loy Memorial Seminar Room in Modern Languages.

EXPLANATION: Professor Loy was a professor of French languages and literature at Brooklyn College from 1959 until his death in 1985. He served as chairman of the Department of Modern Languages and Literatures from 1968-1974, and as Secretary of Faculty Council from 1968 until his death. A leader in curriculum reform, Professor Loy was a staunch supporter of the Humanities, and he left a substantial bequest to Brooklyn College for the awarding of scholarships to students in the Humanities. The naming of the Seminar Room is intended to recognize Professor Loy’s contributions to the past and future of the College and its students. It was recommended unanimously by the Faculty of the Department of Modern Languages and by the Administrative Community of the College.

E. RECOMMENDATION OF TASK FORCE ON THE STUDENTS’ SERVICE OBLIGATION PROGRAM: THE SOPHIE DAVIS SCHOOL OF BIOMEDICAL EDUCATION/THE CITY UNIVERSITY OF NEW YORK MEDICAL SCHOOL: The resolution was moved and seconded.

Dr. Jacobs stated that in response to the concerns raised by the speaker at the public hearing, the Director of Admissions of the Sophie Davis Program, the School will assist students in finding suitable primary care positions in a position-shortage area of New York City.

Dr. Canino stated that she had not read the Task Force report but had read the transcript of the hearing, in which Dr. Slater expressed persuasive disagreement with the Task Force recommendations. She indicated that $75,000 was a considerable sum of money to expect the students to repay in 18 months, particularly since the last point made by Dr. Jacobs had just been added and that is that it is the obligation of the School to provide for the students a full listing of placements, which, she understood is not in place and, therefore, the student is often left without a knowledge of where primary care service could be used to fulfill the requirement. She was concerned about this recommendation going to the Regents since there has been little time from the public hearing until the present time fully to consider the impact of the Task Force’s recommendations. She wondered if there were not good reason to ask that this be revisited by the appropriate group. She referred to the amount and the time of the requirement, especially since young people were being asked to sign a legal document and their parents are also asked to sign with respect to the obligation if the student does not fulfill the requirement.

Mr. Howard asked when the recommendations would take effect, and Dr. Jacobs indicated that the recommendations would have to be approved by the Regents. Acting Vice-Chancellor Solomon stated that if the recommendations are approved by the Regents, they would take effect with the students entering in September, who would be able to practice primary care in approximately ten years. Mr. Howard stated that the students entering in September would have ten years to consider this, and he saw no reason why the Board should not move this forward very quickly. He indicated that he sits on the board of a hospital in Brooklyn, and 40% of the people entering that hospital cannot find doctors. He presumed that anyone in a medical program in the City would know that there are communities in New York City that really need doctors to come into those communities and remain.
Dean Lythcott stated that the idea of the $75,000 is not to have the students pay the penalty but encourage them to fulfill the obligation.

Mr. Mayers indicated that it might not be appropriate to consider this matter after only one public hearing. More time might be needed to work this out. He expressed opposition to moving this forward.

Dr. Tam addressed the issue of the responsibility of City University to make sure that the graduates will be able to find a medically underserved area appointment after graduation. Some kind of program needs to be established.

Dr. Bernstein stated that she had originally had some concern about the figure of $75,000 to be repaid in 18 months after graduation. However, in view of the fact that this would only begin to apply to students coming in next September, this would really only come into effect approximately ten years from now. In the period of ten years the Sophie Davis staff has time to make arrangements to see to it that students, when they do graduate, will know the location of the various opportunities for primary care service in underserved areas. Secondly, ten years from now there will be some inflation, and $75,000 will not sound so different from the $25,000 that is the current penalty. There will never be a 100% return. There is no interest in discouraging anyone from the program. All that is asked is two years of service. After that, the doctors can go on to do whatever kind of medical practice they wish to engage in. She recommended passage of the resolution.

At this point Mrs. White joined the meeting.

Mr. Pressley asked about the implementation of the previous sanction of $25,000. Acting Vice-Chancellor Solomon stated that the Task Force considered this question. There has been no attempt to date to collect the funds, but there will be a review of past participants of the Program and their fulfillment of the obligation.

Dr. Canino asked what would happen if students did not pay the $75,000 after 18 months and whether there would be further penalties imposed other than a collection system. In addition to a collection system, the lack of fulfillment of the obligation could be reported to the State Licensing Board and could be considered professional misconduct. That could subject a physician to loss of license or other form of discipline. That could be more of a deterrent than the penalty of $75,000.

Dr. Canino asked for the median income and the racial profile of the students in the Program now, and Dr. Lythcott replied that 26% of the student population was minority but he had no knowledge of the average income of the parents.

Dr. Canino stated that she was not opposed to students having a commitment to serve in underserved areas. She would, however, vote against it because she felt that more time should be given to consideration of these issues. In response to a question from Dr. Jacobs, she indicated that she objected to the amount of the penalty and the time for repayment, and questioned whether this is really the solution to the problem or whether there are not other alternatives.

In reply to a question from Mr. Del Giudice, Dr. Stephen Robinson stated that to date the Program has graduated 625 students. Of that number 165 have completed their full training and are now in practice. The data shows that better than 50% of those are practicing in primary care. Of the primary care practitioners in New York City, 68% are serving in underserved areas; 47% are not in primary care but are practicing in some specialties.

Mr. Fink questioned raising the amount of the penalty to $75,000 since even the $25,000 penalty is not being collected. He stated that the real question is whether the Board would have the Program carry out the original intent which was to have the people who had this training made available to them at a public institution pay back to the public who made this available to them. If this is no longer the Board's intention, the Board's intention is rather to provide this training for anyone who qualifies by dint of his intellect and academic capability, then
only moral suasion need be added. But if the purpose of requiring public service is still the Board's intention and it is still Board policy to demand it, rather than raising the amount of money which does not serve the purpose, some remedy should be fashioned which would, in fact, have some teeth in it.

Mr. Pressley stated that it seemed to him that the Program was designed to have 26% or 45% of minority students. He asked what the original number was. He indicated that that should be examined and the recruitment level should be scrutinized to ascertain why there is not recruitment at that level. The sanction could be revisited after that. He thought the Program had been designed to enlarge the minority population.

Mr. Howard pointed out that the State of New York also subsidized students from New York in Israel, Morehouse, etc. and questioned the experience on the return of those students to the State. Vice-Chancellor Bloom replied that their experience is less successful than the experience of the Sophie Davis Program in having students fulfill the obligations. The original policy when the Board and the Regents approved the Program in 1975 carried with it the two-year service commitment for students in the Program, partly as an offset to the fact that the student picks up a full year in the Sophie Davis Program because the period of medical education is five years at City College, which includes the two pre-clinical years plus a final two years at a medical school with which the Sophie Davis School has a contract. The two-year service obligation, as well as the goal of increasing diversity representation in the profession, were the two goals of the Program. These were the goals set by the Regents initially. In 1975 the Regents approved the $25,000 penalty in the event that the students did not fulfill the service obligation. It was because of the fact that the University was not satisfied with the way this was working out and there was a lack of clarity in the earlier years with the agreements that the students were signing, which varied somewhat from year to year, that the Chancellor in consultation with the State Commissioner of Health and the State Commissioner of Education established the Task Force to look at the issues revolving around the service obligation. The Task Force included senior people from both the State Department of Health and the State Department of Education, who were involved with medical practice and the licensing of medical practitioners. One of the goals was to clarify at the outset for everyone concerned including the students precisely what their obligations were and where they would have to be fulfilled. The $75,000 was a reflection of the changing costs of medical education from 1975 to what the costs would likely be in the year 2000 when the first students to be affected by this change would graduate. The students go through five years of education including two pre-clinical years at City College undergraduate tuition rate, thus saving an enormous amount of what it would cost them even in a public medical school for the first two years. They pick up a year by virtue of not having to go through a full eight years of undergraduate plus medical education. No one is looking to collect the penalty. The purpose of the penalty is to help induce the students to fulfill the service obligation. There was a commitment, and it was very clear from some of the things that Dr. Slater said at the hearing, from the School to enhance its work with the students to find primary care placements. Most people in the field are fairly well convinced that there are more than ample opportunities for fulfilling such primary care obligations in medically underserved areas in the City. There is no departure from the policies that the Regents set in 1975 for this Program. The significant change is the change in the dollar amount of the penalty to reflect changing costs. With respect to the 18-month period, the general conclusion of everyone involved is that if the student does not begin to fulfill the service obligation within 18 months after completion of training, he will go on to a career elsewhere and will never fulfill the commitment. The purpose is to keep the service commitment not too far off after the student completes his training. A student who for whatever reason does not finish the process do not have to fulfill this obligation. If he withdraws from school or something else happens, there is no obligation and no responsibility for fulfilling the commitment.

Dr. Tam stated that one mandate of The City University is to serve the particular needs of New York City and to train and graduate medical practitioners so that they can serve the needs of the City. The recent report that one of the medically underserved areas, Harlem, for example, has a mortality rate that is worse than that of Bangladesh is something that City University can do something about. For this reason the Board wanted to make sure that the University's graduates would eventually serve in the areas where they can make the greatest impact. The penalty, whether it is $25,000 or $75,000, is really not what the University is after. If it is collected, it is a
failure on the part of the University in terms of meeting the needs. To have a placement office to make sure that the graduates get the appointment in a medically underserved area is not enough. Such a program needs to be included in the ten years of education and training that the students will receive so that they will have the desire to serve in a medically underserved area. A very rigorous program needs to be established.

Dr. Lythcott asked to correct the record with respect to Mr. Pressley’s comment, stating that 26% or 27% minority students in the Sophie Davis Program is 2-1/2 times the national average and three times the average in New York State for minority students in medical schools. The numbers are quite large although they may not seem to be.

The Chancellor stated that the history of the matter is more complex. There was in fact a legal action surrounding this policy. At one time percentages and numbers were specified, and as a consequence a legal action was instituted by community organizations, and best efforts and affirmative action were put in their place. It is a long and fairly complicated legal history that governs the Sophie Davis Program and the degree to which it is able to advance its objectives, which were described both earlier on at the outset of the Program and more recently as a concerted effort to increase the number of minority physicians in practice in underserved medical areas in New York City.

Mr. Mayers had been under the impression that despite the fact that a student did not complete the Program, he would suffer the $75,000 penalty, but that has now been clarified. He also had a concern about the time element.

In reply to a question from Mrs. Everett, Acting Vice-Chancellor Solomon stated that if a student did not go into primary care but practiced in a depressed area, that would not satisfy the obligation. The need is for primary care practitioners.

The following resolution was adopted:

RESOLVED, That the report of the Task Force on the Students’ Service Obligation Program: The Sophie Davis School of Biomedical Education/The City University School of Medicine be accepted and that the recommendations be approved.

EXPLANATION: In 1988, the Chancellor established a Task Force charged with reviewing the compliance of the students of the Sophie Davis School of Biomedical Program/The City University School of Medicine with the School’s service obligation and with making recommendations for improvements. The Chancellor requested and the New York State Commissioners of Education and Health appointed members to the Task Force, which was chaired by the Dean of the Sophie Davis School of Biomedical Education/The City University School of Medicine. The Committee submitted its final report to the Chancellor in late September of 1989.

The recommendations of the Task Force include a revision of the Service commitment contract to be signed by students entering the Program to assure insofar as possible that the students meet the commitment of practicing primary care medicine for two years in a primary care physician shortage area. The Program participants who fail to fulfill the service obligation would be obligated to reimburse The City University of New York the sum of $75,000 within eighteen months of completing post-graduate training.

The 1975 amendment to The City University of New York Master Plan approved by the New York State Board of Regents established a $25,000 reimbursement for graduates not fulfilling the service obligation. The recommendation for the increase in the reimbursement to $75,000 will require Board of Regents approval prior to the increase taking effect.

The Report, including the recommendations, will be on file in the Office of the Secretary of the Board of Trustees.

Dr. Canino and Mr. Pressley voted NO. Mrs. White abstained.
F. THE CITY UNIVERSITY/LEHMAN COLLEGE PROGRAM IN JAPAN: The resolution was moved and seconded.

Pres. Lief indicated that the program, which is about ready to start, began a couple of years ago with an inquiry from a Japanese gentleman, who heads an organization called the Association for Cultural Exchange. It was on his initiative through Glenn Nygreen, who was then the Vice-President for Student Affairs, that the matter was brought to Pres. Lief's attention. What the Japanese really want is an American college, namely, Lehman, to come in and run an academic program which is based on several notions:

(1) that the first year will be total immersion in English for the students who have already qualified at a particular level in English, but the year will enable them, it is believed, to take part in the regular Lehman College curriculum for the balance of their time at the campus;

(2) that the Japanese will pay for all costs, will pay the total salaries, fringe benefits, etc. for the faculty who go there. Currently there are approximately 15 people who will be teaching approximately 300 students. The projection for this campus is a maximum of 1200 students in approximately four years.

The attraction for Lehman is fairly obvious. The faculty, and in the long run, the students, will have an international experience that is hard to match. Lehman students will be involved in this after the first couple of years. Faculty from other colleges will also be involved in this effort even though Lehman will maintain control of the academic program. Secondly, it gives the College itself a stature in the world of colleges and universities, internationalism being a constant and reiterated theme throughout. And, finally, it will also give the College some flexible money which it desperately needs as it faces the 1990s. There were subtleties and changes and probably mistakes made along the way, but this is a worthwhile program from an educational point of view. It accomplishes the things that Pres. Lief outlined, and he was most anxious to get started. One peculiarity in this arrangement is that the Japanese semester begins in April. The tightness of the schedule has been a problem, but the College is ready to go. The faculty will be paid by the Japanese beginning February 1 and will be paid throughout the time they are in Japan. All budget funds will be placed at the Research Foundation prior to the departure of anyone for Japan. The money will be in place, and, therefore, there is no financial risk.

Dr. Jacobs commented that the program is an interesting one. Two other universities, Minnesota and Texas, have exchange programs with Japan. Housing will be provided by the Japanese for the faculty, and Pres. Lief has indicated that substitutes will replace the faculty at Lehman for that particular period. Certain additional funds will accrue to the College.

Dr. Canino stated that she had too many questions to be answered at the meeting but, speaking as a member of the Academic Policy Committee, she indicated that the Committee was not provided with sufficient information to answer the questions. She stated for the record that she is not opposed to international education, faculty and student exchange programs, nor the diversity and pluralism that accrues to institutions of this caliber when such programs are in place. This is, however, a precedent that the University is establishing a branch in another country. For this reason she would have liked more opportunity to discuss it. This has been in negotiation since 1988, to which Pres. Lief replied that the subject was raised first in 1988. The details of the arrangement were not delivered until fairly recently. There was relatively little information available in 1988 that would have enabled him to bring it before the Board or anyone else. The distance between the parties led to some delays. The budget did not come to the College in final form until a few days ago. Pres. Lief admitted that the timing is a bit of a problem. It has been overcome. Pres. Lief would have been much happier to follow an American calendar, but the sponsors insisted upon the Japanese calendar, and the College finally, with some reluctance, agreed to it. That has caused the time constraint.

Dr. Canino stated that that was one of the concerns, that on major matters of this sort, committees could have been kept abreast of the progress and certainly of the final negotiations rather than be brought in at the end. It creates discussion at the Board level that could have been taken care of earlier. Nevertheless, there are some basic questions concerning policy. There is a statement that the policies of CUNY will apply to
CUNY/Lehman/Hiroshima. She asked if that included, for example, affirmative action guidelines and was told that it does. She asked if that was a realistic requirement and whether utilization studies would be conducted in Hiroshima. Vice-Chancellor Bloom stated that the non-discrimination policies followed by CUNY would be made part of the contract with the Japanese. That is one of the considerations about which the University was quite clear. It is our own faculty going over there. In reply to another question from Dr. Canino, Vice-Chancellor Bloom indicated that the University would require its own faculty to be representative. Dr. Canino asked if that was true of the 16 faculty scheduled to go to Japan, and Pres. Lief stated that he could not give a breakdown of the faculty but minority faculty are included in the 15 or 16 who are going.

Dr. Canino also expressed concern about the impact on the students, for example, of having substitutes for the experienced faculty who would be leaving. Lehman has a large, non-English-proficient student population. She indicated concern about agreements between business people and public institutions, the model of establishing a branch so far away and the University's ability to monitor as Trustees and as a Board and asked what mechanisms would be in place for that. She raised the question of the degree, for example. It is stated that it is the Lehman academic program that would be put in place in Hiroshima and yet there is mention that there will be opportunities for awarding associate degrees following completion of two years of study. That proposal has not come before the Academic Policy Committee, and it is a change in academic programs since Lehman does not offer an A.A. degree. It also has implications for the students here and she questioned whether that A.A. degree would be available to them, in what fields, etc., and what the process for consideration of that possibility would be. Pres. Lief stated that Lehman College is currently working out an agreement with Bronx Community College. In the event the associate degree has to be given, Bronx Community will give it. That matter has not come before the Board, but it will.

Dr. Canino stated that although the questions could not be answered at the present time, she felt it to be her responsibility as a Trustee to bring them before the Board.

Mrs. Everett pointed out that some Trustees had to leave, and there would be time for discussion of details afterwards.

At this point Mr. Del Guidice left the meeting.

Dr. Bernstein asked for an understanding of what afterwards meant. Mrs. Everett replied that if Board Members have concerns, there will be a forum for such discussions to take place. Dr. Bernstein stated that she agreed with many of the things that Dr. Canino had said. She had known about this program longer than any other member of the Academic Policy Committee because Pres. Lief and Mr. Nygreen had come to see her and spoke to her about it. She had raised some questions at that time. She indicated that she had no objection to the general idea, but said that she would like to be absolutely sure at the outset that no tax levy monies would go into this. She listed some things that she wanted to be sure would be covered. But it had always been her assumption that this would come to the Academic Policy Committee. She had reported briefly to the Committee in very general terms as to what this program was about, and it has not come to the Committee. It was pointed out that the contract was reviewed by the Faculty, Staff, and Administration Committee, but Dr. Bernstein stated that there was no final contract as yet; there was only a draft contract, and changes are still being made. She did not find anything in the draft contract that covered the points that she had raised, for example, the covering by the Japanese of travel costs of administrators who will have to go to Japan from time to time. She questioned who would pay the travel expenses or the living expenses of Lehman students who might wish to study on the Hiroshima campus. She saw in the budget that the faculty would get 25% more of their salary than they would get if they stayed in the Bronx. From what Dr. Bernstein knew of prices in Japan and the exchange rate between the dollar and the yen, that would not be at all adequate. Dr. Bernstein stated that she has a copy of the draft agreement and a copy of the budget, but they do not answer any of the problems that she has. Dr. Bernstein stated that the Board is being asked to approve the resolution at this meeting and she believed that it would be approved. She did not know when and how the Board will receive some information on how the financing will really work.
Dr. Tam stated that the issues raised by Dr. Canino and Dr. Bernstein are very relevant, especially about the input of the Board in policy issues. He wanted to take the opportunity to say that this opening for international education is a very good opportunity for the University to reach out to the Pacific area. There are still questions to be answered. The Japanese would like to learn more about American culture. The issue for New Yorkers is the need to learn more about Japanese culture or other Asian cultures and languages. That is also very necessary. All of this probably could have been resolved, had there been more Board participation in the beginning. At this point, to deny any possibility of establishing this opening may not be called for.

In reply to Mr. Howard's request that the Chancellor share his thoughts on the subject with the Board, Chancellor Murphy stated that this is a program different than any encountered before by the University. It came about partly as a result of the fact that the Japanese are interested in importing very little from the United States. The one thing they do not produce themselves and are very eager to have are native English speakers. That is something the United States can do and provide in a way that no one else can. A good deal of this came about as a result of peculiar circumstances that the University was sought out as other universities have been from time to time. He complimented Pres. Lief and his colleagues at Lehman, who have pursued this. It was an enormously complicated enterprise and undertaking. There are many things to be concerned about. The Chancellor indicated that he had reservations about it, but each time he had raised questions about it, they have been responded to in a way that he had to consider satisfactory. As with any new enterprise it is almost always easier to say "no" since that would not get the University into any kind of difficulty. With a new enterprise, to say "yes" does entail that the University is willing to undertake a certain amount of risk. Both the University's Counsels have been actively involved in this. In fact, one of the University's attorneys has already been to Japan negotiating with attorneys there. From the very outset, on behalf of the Board and the University, the Chancellor had made it clear that he would not recommend entering into any kind of a contract in which it was not absolutely clear that no tax levy dollars on the University's side would be used to advance any purpose other than one that already exists as part of the law of the State of New York for the City University of New York. The Chancellor indicated that he had asked this question repeatedly at each step of the way, and at each step of the way he replied was that there was no involvement in anything that would cost the University money. All the monies paying for this project would be paid up front first. The University has mechanisms in place to assure that that will be the case. He gave the Board the best assurances he could based on those given him by the University's attorneys that that is the fact of the case. He had no doubt that problems would arise that could not be foreseen. There are possibly people who have purposes or motives other than those the University would recognize as clear and unambiguous and sincerely directed toward the ends that are described in the proposal. The University's lawyers have given assurances that there have been put into place the kinds of safeguards that guarantee that the University's best interests and Lehman College's best interests are being served. The Chancellor, therefore, recommended to the Board that this proposal be approved.

Pres. Matthew Goldstein reinforced the issue about the funding. Upon execution of a contract with the Japanese sponsors the Research Foundation will receive full payment for a year of activity. That is the first time that the Foundation has been as successful in negotiating a contract of this kind of magnitude where the dollars will be provided up front. Every dollar so far that has been spent with respect to the negotiating process of going to and from Japan has been non-tax levy money, with dollars provided up front that were housed at the Foundation expended accordingly. With respect to the point about students, there has been budgeted with the dollars that are provided by the sponsors provision for up to ten students per year from the United States to go over and study at the college in Japan.

Mrs. Everett suggested that those Board Members who have questions that have not been answered so far, write them down and perhaps confer with Pres. Goldstein in the Chancellor's Office, or perhaps a special meeting of the Board could be called to address the concerns. She suggested that a vote be taken, with Board Members having the option to vote for or against the proposal, stating that this would not preclude questions.

Mr. Fink stated that Mrs. Everett was correct in saying that the Board Members could vote for or against the proposal. The problem that some of the Trustees might have is that on the face of it, it seems to be a pretty good
Idea for the University to be involved in a program like this. Some might be greater risk takers than the Chancellor and suggest a willingness to vote for it even if it costs some tax levy dollars. Notwithstanding that, it would benefit the University. The problem for him was not that issue but that he was being asked to vote for something that some of his colleagues felt they had not had time to study nor had an opportunity to have many questions answered. If it will be put to a vote, he will vote either for or against it, but he indicated that he would like note taken that for him as one Trustee, and he could not speak for his colleagues, he resented being put into the situation at meetings of being called upon to vote on something if the opportunity to deliberate on something is not given to him or to his colleagues, who have more knowledge on the subject and whose advice he would like to seek and hear before voting. He suggested that it might be possible to get to the point of having people understand that the Board of Trustees of this University would like to participate in these weighty matters but must be given the necessary tools to do so. He was not unmindful of the fact that Pres. Lief had indicated that this program had to begin in April. He was not unmindful, and he relied on the recommendation of the Chancellor for his vote. Notwithstanding that, in the future it would be useful and beneficial, and probably programs that are worthy and do great credit to the University would not run into this kind of last minute questioning, if appropriate time and energy were given to them in the normal course of events.

Mrs. Everett stated that, in all fairness, this proposal did come through a Board Committee, which came in with a resolution that was duly considered by that Committee. It was possible that Board Members did not feel satisfied with that. They had an opportunity when they received the Information that they did get, to call the Chancellor’s Office or Dr. Jacobs to indicate that they did not feel knowledgeable about this and wished to have a special meeting called on the subject.

Mr. Fink replied by stating that some recognized that there are people on the Board who have greater knowledge in these areas than they might have. It is not a question of each one being polled or calling. It has to do with the collective collegial ability. He had listened to some of his colleagues other than the Committee chairperson, for whom he had a great deal of respect, and whose Committee recommended it. But there is a chairperson of another Committee who feels it should have been submitted to that Committee. And a third Committee chairperson thinks it should have gone to his Committee. The rest of the Board Members who are not the repositories of that information might then have had the opportunity to hear what those people had to say.

Mrs. Everett stated that the process might have to be reviewed. On the other hand, the Board does not want to be in the situation where every item has to be considered by the Board as a committee of the whole.

Mr. Fink stated that the University should not be in a situation where items are voted down because Board Members feel unsatisfied.

Mrs. Everett indicated that the Board could vote for or against the item or for it with the understanding that more of the details should be furnished to Board Members so that they could have additional input. The final proposal is not engraved in stone, and there is still time for input.

Dr. Jacobs stated that the Committee on Faculty, Staff, and Administration had a two-hour meeting and discussed this proposal with the assistance of Pres. Lief. Perhaps the minutes should be distributed more expeditiously to Board Members so that they would have an opportunity to read them and ask questions prior to the Board meeting.

Mr. Howard stated that members of the staff and ten students will be in Japan. The one thing that was being said was that the Japanese will pay the total cost. The Board voted earlier on workers’ compensation as it relates to all the University’s employees. He questioned what happened to the health benefits of individuals who would go to Japan and potentially become ill. He asked if the University would be liable for that. Vice-Chancellor Bloom replied that a variety of issues have been addressed relating to having staff in Japan, including issues such as pension payments and health benefits. They will be covered by the health benefits package of the Research Foundation because they will technically be employees of the Research Foundation during the period of the trip to
Minutes of Proceedings, January 29, 1990

Japan. Consultations have been held with the other universities who have operations in Japan, and there is a method of supplementing this health insurance with health insurance purchased in Japan. This will be done to insure full coverage of staff who are in Japan. There are a variety of issues that are involved when people are sent overseas. The 25% cost of living adjustment is the amount used by Temple University, which has had a program running in Tokyo since 1982. The experience of other American universities in Japan has been looked at and drawn upon in trying to solve some of the problems that are involved with having people there. Special Counsel has been engaged in Japan to assist in taking care of situations that might arise when people are in Japan.

Mr. Mayers asked for the reaction of the students to this proposal, and Pres. Lief replied that the students are aware of the matter. There has been no formal vote, but there is a general sense of curiosity and excitement about it. It is impossible to predict at this point how many students will ultimately go to Japan, but based on the reports that Pres. Lief has received and the conversations he has heard, there is considerable interest in this on the part of the students.

In reply to a question from Dr. Canino as to whether the proposal could be renewed for next year if it were not passed, Pres. Lief stated that the program would collapse.

The following resolution was adopted:

RESOLVED, That the Board of Trustees of The City University of New York authorize the establishment of a branch campus of Lehman College in Hiroshima, Japan, to be known as CUNY/Lehman-Hiroshima, offering approved Lehman College curricula and programs, to be taught in English by faculty appointed by Lehman College of The City University, subject to the approval of the Board of Trustees, leading to Lehman College degrees; and

BE IT FURTHER RESOLVED, That the curriculum and the academic program and the policies of CUNY/Lehman-Hiroshima shall be those approved by the Board of Trustees of The City University of New York; and

BE IT FURTHER RESOLVED, That all costs of the branch campus, including, but not limited to, the instructional costs, support costs, the site, and the physical plant of CUNY/Lehman-Hiroshima, including all necessary classroom, laboratory, library, residence halls, and ancillary facilities as may be required by The City University, shall be funded, provided, and maintained by the Japanese sponsors; and

BE IT FURTHER RESOLVED, That, in accordance with the Board resolution of November 23, 1970, Calendar Item C10, "Blanket Tuition and Fee Waiver," for grant and contract programs that provide for full payment of the costs of the program, City University tuition and fees be waived for students enrolled in CUNY/Lehman-Hiroshima; and

BE IT FURTHER RESOLVED, That the Chancellor be authorized to negotiate and execute agreements with the Research Foundation of The City University of New York, and the Japanese sponsors to implement the program, the agreements to be subject to approval as to form by the General Counsel and Vice Chancellor for Legal Affairs.

EXPLANATION: The Government of Japan has expressed an interest in the establishment of branch campuses of American colleges and universities in various locations in Japan, and sponsors in Japan are actively seeking partnerships with American colleges and universities in order to offer the opportunity for wider college attendance to their high school graduates, only approximately 25% of whom currently continue on to higher education. The City University of New York is among the universities in the United States which have been invited to establish such branch campuses, with support of the prefectures and the other local governments. CUNY is particularly well known in Japan for its expertise in educating first-generation college students who must develop strong English communication skills. The strong liberal arts tradition of CUNY is much admired in Japan as an avenue to developing the international perspective and the skills believed to be essential to international understanding.
The City University's participation in the CUNY/Lehman-Hiroshima pilot program, which would begin in April of 1990, offers numerous benefits for The City University. Chief among these is the fostering of international understanding and exchange and the development of productive relationships between societies in such areas as international programs for education, culture, and economics. Faculty and students of Lehman College, as well as other City University colleges, will be given the opportunity for an exchange experience with the Japanese. A number of City University faculty will have the opportunity to spend a semester or a year teaching in Japan. During the first year, for example, approximately 16 faculty and 300 students would be involved. Lehman students in New York City will have the opportunity to attend CUNY/Lehman-Hiroshima as students and recent Lehman graduates the opportunity to work as support staff, while CUNY/Lehman-Hiroshima students will be invited to take their third and fourth years at Lehman College in New York City. In addition, the instructional techniques that prove successful in the classrooms of CUNY/Lehman-Hiroshima may become a model for research and replication elsewhere. The expertise that Lehman faculty develop through their experience will add a special dimension to their teaching and their research interests.

The Japanese sponsors will provide the funds necessary to cover all instructional costs, supply and equipment costs, and indirect costs, as well as all of the costs of construction, maintenance, and administration which may be incurred in the establishment and operation of CUNY/Lehman-Hiroshima. Lehman College will not count the FTEs produced by CUNY/Lehman-Hiroshima as part of the overall FTE count, and the enrollments will be accounted for in accordance with the University guidelines for contract courses. The Research Foundation will serve as the University's fiscal agent for the project.

Lehman College will provide faculty and academic support staff for CUNY/Lehman-Hiroshima through the Research Foundation beginning when necessary to enable the first semester at CUNY/Lehman-Hiroshima to begin as planned by the Japanese sponsors during April of 1990. The Chancellor will negotiate and execute such agreements as may be necessary to implement the program for an interim exploratory and transitional period. The Chancellor will periodically report to the Board Committees on Academic Program and Policy and Faculty, Staff, and Administration regarding the progress being made in the establishment of the branch campus, and will report to the Board before the end of the academic year regarding the status of the branch campus. The Chancellor will continue to consult with appropriate New York State and Japanese officials regarding the CUNY/Lehman-Hiroshima campus. Opportunities for the awarding of an associate degree following the completion of two years of study are also being discussed. The Board will be asked to approve the further steps in the establishment of the CUNY/Lehman-Hiroshima branch campus at the appropriate times.

Dr. Bernstein and Dr. Canino abstained.

Mrs. Everett asked Pres. Lief and the staff to entertain additional questions that have not been resolved so that the Board Members would feel comfortable even after the fact and would have an opportunity to share their feelings about the proposal. Mr. Howard asked that the budget be submitted to Vice-Chancellor Vivona for review so that the Committee on Fiscal Affairs, Facilities and Contract Review would be kept informed.

G. INTERIM UNIVERSITY POLICY REGARDING MISCONDUCT IN RESEARCH AND RELATED ACTIVITIES IN SCIENCE:

RESOLVED, That the following interim policy and procedure statement regarding the Disposition of allegations of Misconduct in Research in Science be adopted:

THE CITY UNIVERSITY OF NEW YORK INTERIM POLICY AND PROCEDURE STATEMENT REGARDING
THE DISPOSITION OF ALLEGATIONS OF MISCONDUCT IN RESEARCH IN SCIENCE

I. DEFINITIONS

A. "Misconduct in Research in Science" means fabrication, falsification, plagiarism, deception, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.
B. "inquiry" means information gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.

C. "Investigation" means the formal investigation and evaluation of all relevant facts to determine if misconduct has occurred.

II. INITIAL REVIEW

A. The president of each college within the University or his or her designee shall be responsible for designating an appropriate college official to receive allegations of misconduct in research in science involving faculty, other employees, or students. The designated official will notify the subject of the allegations that have been filed and conduct a threshold evaluation of the allegations in order to determine whether there is any substance to them. All efforts should be made to complete the evaluation as expeditiously as possible.

B. In cases where the subject of the allegations is a faculty member with multiple appointments, the evaluation will be conducted by the designated official of the college at which the subject has tenure or a tenure-track appointment.

C. The evaluation of allegations against an employee of the University will be conducted by a designee of the president of the college. If the subject of the allegations holds a University appointment but is temporarily in the employ of the Research Foundation, (e.g., on summer salary), the evaluation will be conducted by the designated college official.

D. If the designated official concludes that there is no basis to the allegations, there will be no need to conduct an inquiry. The official should maintain in a secure manner sufficiently detailed documentation of the evaluation to permit a later assessment of the reasons for the determination.

E. If in the course of the evaluation the official comes to believe that there may be a valued basis for the allegations, then the matter must be referred for an inquiry. Under such circumstances the official will prepare a summary of the results of the evaluation for use in an inquiry. A copy of the summary will be provided to the subject.

III. INQUIRY

A. An inquiry will be conducted by a standing committee on Research Integrity (the "Committee"), which will be established for such purpose. The Committee will consist of at least three members, each of whom shall be appointed by the Chancellor for a term of two years.

Efforts should be made to assure that sufficient expertise is present on the Committee to evaluate the merits of allegations in a number of different disciplines. Nominations for seats on the Committee may be made by the University Faculty Senate or the Faculty Advisory Council.

B. Upon receipt of a summary of evidence of allegations of misconduct from a college or from the Research Foundation, the Committee will promptly convene to begin its inquiry.

C. The Committee shall determine whether an allegation of misconduct warrants a full investigation. In making this determination, the Committee should consider both the severity of the allegations and the evidence which it may gather in the course of its inquiry. If the Committee concludes that there is probable cause to believe that the allegations are accurate and sufficiently serious, then the Committee must refer the matter for a full investigation.
D. If the Committee determines that there is probable cause to believe the allegations are accurate but that the misconduct is not of a serious magnitude, the Committee may attempt to fashion an informal resolution of the matter with the subject of the allegations. Any such informal resolution will be included in the Committee's records of its activities, and shared with the referring college official.

E. If upon the conclusion of the inquiry the Committee found that the subject has not committed any misconduct, then the matter will be closed and all records of the proceedings sealed to respect the rights and protect the reputations of all parties involved. The Committee shall work with appropriate University and college officials in undertaking diligent efforts, as appropriate, to protect the reputation of subjects when allegations are not confirmed.

F. An inquiry must be completed within 60 calendar days of its initiation unless circumstances warrant a longer period. The Committee's records should include documentation of the reasons for any extension of the 60 day period.

G. The Committee shall maintain in a secure manner sufficiently detailed documentation of inquiries to permit a later assessment of the reasons for the determinations, which it shall make available to the referring college officials if the official so desires. The Committee shall inform the college president of the Committee's determination.

IV. FORMAL INVESTIGATION

A. If the Committee determines that an investigation is necessary, it shall forward the report of its activities either to the president of the college or to the president of the Research Foundation, depending upon the subject’s employment status.

B. If the subject of the allegations occupies a position covered by the Collective Bargaining Agreement between the University and the Professional Staff Congress/CUNY, the investigation will be conducted in accordance with appropriate disciplinary provisions of the Agreement. Allegations against University employees in positions not covered by the Collective Bargaining Agreement will be investigated pursuant to the University Bylaws and other appropriate policies of the University.

C. Allegations against students will be referred to the president of the college for investigation pursuant to relevant college and University Bylaws, policies, and regulations governing disciplinary action against students.

D. If the subject of the allegations holds a University appointment but is temporarily in the employ of the Research Foundation (e.g., summer salary,) the investigation will be conducted subject to the provision of the Collective Bargaining Agreement or University Bylaws, as appropriate.

E. Sufficiently detailed documentation of investigatory activities shall be kept in a secure manner to permit a later assessment of the disposition of the allegations by sponsor agencies.

F. If upon the conclusion of an investigation it is determined that the subject has not committed any misconduct, then the matter will be closed and all records of the proceedings sealed to respect the rights and protect the reputations of all parties involved. Appropriate efforts will be undertaken as necessary to protect the reputation of subjects when allegations are not confirmed.

V. RESPONSIBILITIES TO SPONSOR AGENCIES

A. Sponsor agencies shall be informed immediately when the Committee recommends the initiation of an investigation. Sponsor agencies should also be kept informed, as appropriate, of the progress of the investigation, and of its results.
B. Under certain circumstances it may be necessary to inform sponsor agencies of developments at earlier stages of the allegations deposition process. Among these circumstances are the following:

1. there is an immediate health hazard involved;
2. there is an immediate need to protect Federal funds or equipment;
3. there is an immediate need to protect the interest of the person or persons making the allegations or of the person who is the subject of the allegation, as well as his or her co-investigators and associates, if any;
4. it is probable that the alleged incident is going to be publicly reported;
5. there is a reasonable indication of a possible criminal violation; or
6. the scientific community or the public should be informed.

VI. GENERAL CONSIDERATION

A. If in the course of an evaluation, an inquiry, or an investigation, the subject admits the accuracy of the allegations, then the matter will be directly forwarded for disciplinary action under the Collective Bargaining Agreement, the University Bylaws, or the policy of the Research Foundation, as determined by the employment status of the subject.

B. The Committee and those responsible for an evaluation, inquiry, or investigation will conduct their activities in a fashion which provides an appropriate level of expertise in the discipline with which the allegations are involved.

C. In order to protect the privacy and reputations of innocent parties and good faith accusers, all proceedings will be conducted in a fashion designed to maintain confidentiality. Knowledge of the proceedings shall be limited to those who are necessarily involved in them, and appropriate college, University, or Research Foundation officials. In the event that knowledge of any proceedings becomes public, appropriate steps shall be undertaken as necessary to protect the reputation and professional standing of all innocent parties.

D. Allegations which are brought in good faith shall not be the basis of any retaliation against the accuser, even if the allegations are not substantiated upon inquiry or investigation.

E. The Committee and those responsible for an investigation shall take precautions against real or apparent conflicts of interest on the part of those involved in an inquiry or an investigation.

F. The Committee and those responsible for an investigation shall at all times conduct their activities in a fashion which is consistent with their obligations under applicable Federal, State, and local laws, rules, and regulations.

G. College officials, the Committee, and those responsible for an investigation may request the assistance of legal counsel during the course of their activities, either from the University's Office of Legal Affairs or the Research Foundation's General Counsel, as appropriate.

This policy shall become effective immediately.

EXPLANATION: Before 1980, instances of reported misconduct in publicly-financed research programs were infrequent. In recent years, however, there has been a small number of widely publicized reports of malfeasance in scientific endeavors. These cases have not only undermined the integrity of the scientific enterprise in ways that go far beyond the misuse of public – and private – funds, they have also served to renew the concern of the public, the government, and the scientific community about the issue of misconduct in scientific research. Even a relatively few instances of scientific impropriety are considered a threat to continued public confidence in the integrity of the scientific process and in the stewardship of Federal, state, and municipal funds. Explicit institutional commitments to high ethical standards in research need to supplement traditional safeguards such as peer review and guidance from professional organizations.
Institutions engaged in and administering research may make these commitments in two complementary ways. Firstly, institutions should strive to create an atmosphere that encourages creativity and openness among scientists according to explicit standards of conduct. Serious intellectual inquiry cannot thrive in a contest of highly restrictive regulation. Yet institutions must be prepared, as a matter of sound policy, to distinguish misconduct from honest errors and the ambiguities of interpretation inherent in the scientific process and which further research normally corrects.

Secondly, institutions receiving public funds must abide by the stipulations of agencies regarding procedures for handling allegations of misconduct in scientific research. In 1987, the National Science Foundation issued regulations regarding "Misconduct in Science and Engineering Research," directing awardee institutions to establish their own procedures concerning such allegations. In September, 1988, the Public Health Service (PHS) of the Department of Health and Human Services (HHS) proposed rules outlining "Responsibilities of PHS Awardee and Applicant Institutions for Dealing with and Reporting Possible Misconduct in Science," following earlier guidelines promulgated in 1986. PHS final rules were published in the Federal Register on August 8, 1989.

On March 8, 1989, the Board of Directors of the Research Foundation of The City University of New York adopted a scientific misconduct policy in response to regulations issued by the National Science Foundation, as well as the announced intention of several other Federal agencies to issue regulations requiring the development of policies to address allegations of misconduct in scientific research. The policy was developed by a joint University-Research Foundation administration-faculty committee. The Council of Presidents and collective bargaining representatives were consulted about the proposed policy and the need to assure uniform policy and procedures regarding the disposition of allegations of misconduct in research in science for the University and the Research Foundation.

The interim policy sets forth procedures and general consideration for appropriate disposition of allegations of misconduct in research in science. The measures enable equitable resolutions of allegations, balancing the flexibility required for different types of cases with appropriate uniformity to assure due process.

A joint University-Research Foundation committee will be established to refine the policy in the light of further reflection, experience, and changes in Federal regulations.

At this point Dr. Jacobs left the meeting.

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

A. HUNTER COLLEGE - LONG DISTANCE TELEPHONE SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize Hunter College to enter into an agreement, without public bidding, with U.S. Sprint, 1815 Century Blvd., Atlanta, GA. 30345, for long distance telephone service, at an estimated cost of $110,000 chargeable to expense code 236601400-446052 or any other such funds subject to financial ability, fiscal year 1990-91.

EXPLANATION: U.S. Sprint will provide Hunter College with high quality long distance service for the School of Social Work at 129 East 79th Street and Brookdale Campus will be incorporated into the service provided for the 68th Street Campus.
B. HUNTER COLLEGE CAMPUS SCHOOL - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Hunter College to award a contract to the lowest responsible bidder to furnish Uniformed Guard Service for the Hunter Campus School, for the period July 1, 1990 through June 30, 1991 with an option to renew for three additional one-year periods at an estimated cost of $140,000 chargeable to expense code 234801400 or other such funds subject to financial ability, fiscal year 1990-91.

EXPLANATION: This contract is required to provide Uniformed Guard Service to safeguard the faculty, staff, students and property of the College.

C. HUNTER COLLEGE - XEROGRAPHIC PAPER:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Hunter College to award a contract to the lowest responsible bidder to furnish and deliver multi-purpose xerographic paper for copiers at the College's Duplication Office from July 1, 1990 - June 30, 1991 at an estimated cost of $150,000 chargeable to expense code 229601200-446052 or any other funds subject to financial ability, fiscal year 1990-91.

EXPLANATION: The paper is required to meet the high volume of demand for major duplication services required by the various areas of the College. This major duplication service is essential to the daily operations of the College and must be done on high speed copiers, since departmental copiers cannot handle the volume of reports, announcements and instructional requirements. The cost is also reduced by maintaining a Supply Room stock to eliminate the high cost of individual departmental orders.

D. HUNTER COLLEGE - EAST AND WEST BUILDINGS - ELEVATOR MAINTENANCE:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Hunter College to award a contract to the lowest responsible bidder to provide elevator maintenance service at Hunter College's East & West Buildings for the period July 1, 1990 through June 30, 1991, with the option to renew for three additional one-year periods, at an estimated cost of $225,000 plus escalations, chargeable to expense code 217701460-446052 or any other funds subject to financial ability, fiscal year 1990-91.

EXPLANATION: It is essential to keep the elevators at the East & West Buildings in top working condition. To do this, the services of an outside contractor are required, as college maintenance personnel do not have the technical expertise to perform the necessary tasks.

E. HUNTER COLLEGE - NORTH BUILDING - ELEVATOR MAINTENANCE:

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize Hunter College to award a contract to the lowest responsible bidder for elevator repair and maintenance service at Hunter College North Building, 695 Park Avenue, New York, New York 10021, for the period July 1, 1990 through June 30, 1991, with the option to renew for three additional one-year periods at an estimated cost of $160,000 plus escalations chargeable to expense code 217701460-446052 or any other funds subject to financial ability, fiscal year 1990-91.

EXPLANATION: It is essential to keep the elevators at Hunter College North Building in top working condition. To do this, the services of an outside contractor are required, as college maintenance personnel do not have the technical expertise to perform the necessary tasks.
RESOLVED, That the Board of Trustees of The City University of New York approve the purchase and installation of computer equipment for the Computer Science Laboratory-Plaza Building at Brooklyn College, CUNY Project No. CU-961-085 (BY933-085) at a cost not to exceed $826,000, chargeable to the State Capital Construction Fund.

EXPLANATION: This project BY933-085, Computer Science Laboratory-Plaza Building at Brooklyn College is under construction and nearing completion. It is now necessary that Brooklyn College arrange for the purchase and installation of computer equipment. On January 25, 1988, Cal. No. 4.A. (6) the Board of Trustees adopted a resolution that approved the contract documents for construction of this project.

G. UNIVERSITY COMPUTER CENTER - PURCHASE OF DISK STORAGE DEVICES:

RESOLVED, That the Board of Trustees approve the purchase of three (3) disks and one (1) controller under New York State Contract #P36865 in the amount of $315,084. chargeable to New York State Certificate of Participation.

EXPLANATION: The disks and the control unit are required for the Integrated Library System, Management Information System, and for research and instructional use. The increased storage space is necessary for the added modules in the databases for the Library System and the administrative systems, and for the growing needs of students and researchers.

H. UNIVERSITY COMPUTER CENTER - COMPUTER UPGRADE:

RESOLVED, That the Board of Trustees approve the specification and contract documents, and authorize The City University to purchase from IBM, via a Certificate of Participation, and have installed at the University Computer Center an upgrade of its existing 3090-200 to a 3090-400E and related peripherals at a net purchase price of $4,736,856.

EXPLANATION: The City University has negotiated an upgrade of its IBM 3090-200 to a 400E with peripherals and Vector Facility for purchase price of $4,736,856. This represents a 33% discount off the $7,721,551 published purchase price of the equipment. There is no vendor able to supply equal hardware for a comparable price. It is proposed that the $4,736,856 will be financed over a five year period via a New York State Certificate of Participation, at a rate of 7%.

The Computer Upgrade is in response to the increasing demand for central site, mainframe computing throughout the University. In the area of research and graduate education, the upgrade will: allow for an expansion of researcher access to computing resources, thereby permitting University researchers to condense project completion rates and to bolster competitiveness in computer-intensive projects; enhance our ability to teach supercomputer-based research methods to graduate students; and permit the addition of a second vector processor, to meet the need of researchers at the Center for Large Scale Analysis at the University Graduate Center. Additionally, the upgrade will allow for the continuing implementation of the Integrated Library System at University colleges and the expansion of the database from 850,000 titles currently to 4,500,000 titles by December 1990. Similarly, the upgrade will enhance the University’s capability to meet the needs of instructional computing, especially in the scientific and technological disciplines. Finally, the upgrade will provide the framework for automated administrative functions which increase University productivity.

I. AGREEMENTS, ETC. WITH CITY UNIVERSITY CONSTRUCTION FUND AND DORMITORY:

The resolution was moved and seconded.

Mrs. Everett stated that it was her understanding that it was not a question of savings but a question of making funds available that are not currently available, and if that is correct, the language should indicate it.
The following resolution was approved:

RESOLVED, That a proposed Agreement and Lease dated as of January 31, 1990 between the Dormitory Authority of the State of New York, The City University Construction Fund, and The City University of New York, relating to Dormitory Authority of the State of New York City University System Consolidated Second General Resolution (the "1990 Agreement and Lease") Revenue Obligations, providing for the leasing by the Fund from the Dormitory Authority of facilities for the use of The City University and the financing by the Dormitory Authority of such facilities by the issuance of bonds and notes pursuant to the Dormitory Authority of the State of New York City University System Consolidated Second General Revenue Obligation Resolution be approved; and be it further

RESOLVED, That a proposed Supplemental Agreement R dated as of January 31, 1990 to the Agreement of Lease dated as of June 12, 1967 between the Dormitory Authority of the State of New York, the City University Construction Fund, and the Board of Higher Education of the City of New York, as amended and supplemented, relating to Dormitory Authority of the State of New York Revenue Bonds (City University Issue), providing for the leasing by the Fund from the Dormitory Authority of additional facilities for the use of The City University, be approved; and be it further

RESOLVED, That a proposed Supplemental Agreement I dated as of January 31, 1990 to the Agreement of Lease dated as of June 20, 1973 between the Dormitory Authority of the State of New York, the City University Construction Fund, and the Board of Higher Education of the City of New York, as amended and supplemented, relating to Dormitory Authority of the State of New York Revenue Bonds (City University Community College Issue) (the "1973 Agreement"), providing for the withdrawal from the Project under the 1973 Agreement of facilities used by The City University, be approved; and be it further

RESOLVED, That a proposed Third Supplemental Agreement dated as of January 31, 1990 to the Agreement of Lease dated as of July 15, 1986 between the Dormitory Authority of the State of New York, the City University Construction Fund, and The City University of New York, as amended and supplemented, relating to Dormitory Authority of the State of New York City University Consolidated Revenue Obligations (the "1986 Agreement"), providing for the withdrawal from the Project under the 1986 Agreement of facilities used by The City University, be approved; and be it further

RESOLVED, That a proposed Agreement among the Dormitory Authority of the State of New York, the City University Construction Fund, The City University of New York, and the City of New York, to be approved by the State Director of the Budget, relating to the refinancing of all bonds outstanding under the 1973 Agreement, and crediting The City of New York with its 50 per cent share of the Debt Service Reserve Fund therefrom, be approved; and be it further

RESOLVED, That the Chairperson, Vice-Chairperson or Secretary of the Board of Trustees is hereby authorized to execute the 1990 Agreement and Lease and the Agreement among the Authority, the Fund, The City University, and The City of New York described in the preceding resolutions on behalf of The City University of New York and is hereby further authorized to execute Supplemental Agreements R and I and the Third Supplemental Agreement described in the preceding resolutions; and be it further

RESOLVED, That the Chairperson, Vice-Chairperson or Secretary of the Board of Trustees is hereby authorized to make such changes in each Agreement or Supplemental Agreement described in the preceding resolution as he or she shall deem appropriate or necessary in accordance with the advice of the General Counsel to the Board of Trustees, including the withdrawal or addition of facilities from or to each Project, and the execution of each Agreement and Supplemental Agreement by the Chairperson, Vice-Chairperson or Secretary of the Board of Trustees shall be conclusive evidence of the approval by the Board of Trustees of such changes.
EXPLANATION: On June 26, 1989, the Board approved a Supplemental Agreement to the Agreement and Lease dated as of July 15, 1986 among the Dormitory Authority of the State of New York, the City University Construction Fund and The City University of New York for the purpose of financing costs of the College of Staten Island consolidated campus, the Shepard Hall renovation at City College, the North Hall renovation at Hunter College, the Utilities System and Building D improvements at Queens College, the new gymnasium at Lehman College, temporary facility renovation at Hostos Community College and various rehabilitation and asbestos removal projects (the "new financing").

At the request of the State Division of the Budget, the State Dormitory Authority has prepared a proposal to combine the previously approved new money financing with a refinancing of selected series of bonds under the three existing Dormitory Authority/City University bond resolutions. This new financing and refinancing would be effected under a new Dormitory Authority of the State of New York City University System Consolidated Second General Revenue Obligation Resolution. This resolution was not on the original agenda nor was it considered by the Board Committee on Fiscal Affairs, Facilities and Contract Review because it results from the Governor's budget proposal issued on January 16, 1990. The State Budget Division has asked that this resolution be approved at the January Board meeting in order that a bond sale can be accomplished in early February. This refinancing will allow the State and City to have available approximately 100 million dollars during the next fiscal year.

Mrs. Everett and Mr. Fink abstained.

J. THE CENTRAL OFFICE - AUTHORIZATION FOR CERTIFICATION OF OFFICIAL STATEMENTS ISSUED IN CONNECTION WITH SALES OR DORMITORY AUTHORITY OF THE STATE OF NEW YORK BONDS:

RESOLVED, That any of the officers designated herein be authorized to examine any statements contained in any Official Statement of the Dormitory Authority of the State of New York relating to Bonds of the Dormitory Authority, in its preliminary and final form, relating to the Board of Trustees, The City University of New York and the community college and/or senior colleges of The City University of New York and upon approval thereof, to provide a certification of their review and approval of such statements signed by at least three of such officers. The designated officers are the Chairperson and Vice Chairperson of the Board of Trustees, and the Chancellor, the Deputy Chancellor and any of the Vice Chancellors of The City University of New York.

EXPLANATION: in connection with the sale of series of bonds of the Dormitory Authority of the State of New York it is necessary that the Dormitory Authority issue an Official Statement with respect to each series of bonds. Since each such Official Statement contains certain information relating to The City University, it is necessary that Officers of the University be authorized to examine and approve the accuracy of any such information in each such Official Statement. This authorizing resolution covers financing for facilities for the senior colleges and/or the community colleges, including City University System Consolidated Second General Resolution Revenue Obligation Bonds.

K. THE CENTRAL OFFICE - AUTHORIZATION FOR OPINION OF COUNSEL IN CONNECTION WITH SALES OF DORMITORY AUTHORITY OF THE STATE OF NEW YORK BONDS:

RESOLVED, That the General Counsel and Vice Chancellor for Legal Affairs of The City University of New York be authorized to provide opinions of Counsel for The City University of New York relating to the sales of Dormitory Authority of the State of New York Bonds for facilities of The City University of New York and its senior colleges and/or community colleges and furthermore that the Senior Counsels of The City University of New York be authorized to provide and sign any requested opinion for the General Counsel and Vice Chancellor for Legal Affairs.

EXPLANATION: This authorizing resolution covers financing for facilities for the senior colleges and/or the community colleges, including City University System Consolidated Second General Resolution Revenue Obligation Bonds.
A. BLACK HISTORY MONTH:

WHEREAS, The Association for the Study of African-American Life and History, founded by Carter G. Woodson, "The Father of Black History," established Negro History Week in 1926 in the month of February to coincide with the birthdays of Frederick Douglass and Abraham Lincoln; and

WHEREAS, Black History Month has received consistent Presidential and Gubernatorial recognition since 1976; and

WHEREAS, The purpose of Black History Month is to create a public awareness of the quality and diversity of the contributions of African-Americans today, as well as in the past; and

WHEREAS, The Colleges of The City University of New York are hosting a panoply of events to celebrate, commemorate and communicate the accomplishments of African-Americans;

THEREFORE, BE IT RESOLVED, That the Board of Trustees of The City University of New York endorses the designation of the month of February as Black History Month and encourages the participation of the University community in due observance of the month.

B. HONORABLE STANLEY STEINGUT:

WHEREAS, the Honorable Stanley Steingut, former New York State Assembly Speaker, served our great State for more than a quarter of a century; and

WHEREAS, Stanley Steingut was staunchly dedicated to improving the lives of all New Yorkers, and in particular, was a good friend and strong advocate of the mission of The City University of New York; and

WHEREAS, Stanley Steingut distinguished himself as a member of the Joint Legislative Committee on Mental Retardation and Physical Handicap, and chairman of the Joint Committee on Child Care Needs, promoting the landmark legislation requiring the State to educate handicapped students; and

WHEREAS, Stanley Steingut was in the forefront of legislation enacted to strengthen human and civil rights;

NOW THEREFORE BE IT RESOLVED, That the Board of Trustees of The City University of New York honors the memory of the Honorable Stanley Steingut, who passed away on Friday, December 8. 1989, and extends its deepest condolences to his family.

C. REPORT: Mrs. Bloom stated that there will be a reception on Tuesday, February 6, 1990 from 5:30 P.M. to 7:30 P.M. to thank the participants in a new teacher education initiative. This is an important occasion to publicize the teacher education activities and to extend appropriate recognition.

NO. 6X. TEACHER EDUCATION GRANT: Mrs. Everett reported that on January 16, 1990 the Aaron Diamond Foundation awarded The City University a three-year grant funded at $1 million for the recruitment and academic support of minority group students to the University's teacher preparation programs. The program was developed in the Office of Academic Affairs, and the grant will be directed by Dr. Christian Suggs of that Office. The program will begin in the high schools and continue to provide academic and career guidance and support for minority candidates through post-baccalaureate study and permanent certification as teachers by the State of New York.
RESOLVED, That the following item be approved and report noted:

A. THE CITY UNIVERSITY OF NEW YORK SCHOOL OF LAW AT QUEENS COLLEGE GOVERNANCE PLAN:

RESOLVED, That the proposed amendments to the Governance Plan of The City University of New York School of Law at Queens College be approved:

EXPLANATION: At its February 27, 1989 meeting, the Board of Trustees adopted a new Governance Plan for the Law School, which superseded and consolidated into one document the "Bylaws of The City University School of Law at Queens College," adopted by the Board of Trustees at its meeting of June 27, 1983, and the "Internal Governance Plan of The City University Law School at Queens College," approved by the Board of Trustees at its meeting of January 22, 1985. Developed and modified as a consequence of discussions during the February Board meeting, as well as the June Board meeting during which proposed amendments to the new Governance Plan were initially presented, and the following further discussions with faculty and students of the Law School, these proposed amendments to the Governance Plan are now being presented for consideration. The proposed amendments address all of the issues raised during the discussions except the issue of student representation on the Personnel and Budget Committee, which is still being studied. The proposed amendments are recommended by the Dean of the Law School, the President of Queens College, and the Chancellor.

The changes recommended follow:

1. Article III.B.2.a: The addition of a student member, appointed by the Dean of the Law School, to each Faculty Search Committee;

2. Article III.B.6.: The creation of a Committee on Academic Standing with responsibility for applying the academic standards of the Law School to individual students, formerly a charge of the Scholastic Standards Committee;

3. Article III.C.2: The elimination of the committee of senior tenured faculty from other, accredited law schools with which the President would have been obligated to consult regarding faculty promotion and tenure matters.

The revised governance plan is at the end of the January 29, 1990 minutes.

Ms. Carrion stated that the issue of student representation on P & B committees has been tabled pending the larger discussion of that issue as it affects the University as a whole, and the students have agreed to this. Mr. Mayers added that this matter will be discussed in April.

B. REPORTS: Ms. Carrion reported the following matters:

(1) The Bar Examination results are out, and the Law School results are essentially the same as those of last year. They are not as good as was hoped for. As a result of these developments and the continuing scrutiny that the Law School has imposed on itself, it was reported at the last meeting of the Committee that the faculty has agreed and established guidelines for admission to the Law School. Further information and specifics will be provided to the Board in the near future.

(2) At its last meeting, the Committee reviewed the report of the Accreditation Committee of the Section of Legal Education and Admission to the Bar of the American Bar Association, and their concerns and recommendations were addressed. The Committee felt that it was comfortable with what is being done. The procedures being taken will be reported at a future meeting of the Board.
NO. 8. HONORARY DEGREES: (a) RESOLVED, That the following honorary degree approved by the appropriate faculty body at Baruch College and recommended by the Chancellor, be presented at the mid-year commencement exercises:

RECIPIENT  DEGREE

Donald Grajales  Doctor of Laws

(b) RESOLVED, That the following honorary degree, approved by the appropriate faculty body at The City College and recommended by the Chancellor, be presented at a special convocation to be held in the Spring:

RECIPIENT  DEGREE

Jakes Garwel  Doctor of Humane Letters

Upon motions duly made, seconded and carried, the meeting was adjourned at 6:41 P.M.

SECRETARY MARTIN J. WARMBRAND
GOVERNANCE PLAN
THE CITY UNIVERSITY OF NEW YORK SCHOOL OF LAW AT QUEENS COLLEGE

I. INTRODUCTION

A. PURPOSES

1. The central purpose of The City University School of Law at Queens College (the "Law School") is to create an educational program that will train students for the practice of law in the service of human needs and honor students' aspirations toward building a legal career that reflects their commitment toward justice, fairness, and equality. The organization of work and life at the Law School is designed to encourage students to think actively about their life choices, their evolving concept of professionalism, and the content and processes of the law itself, in ways that foster their capacity to practice law in a socially useful manner.

2. This Governance Plan is intended to provide a governance system for the Law School that facilitates the realization of this commitment. This Governance Plan should be read consistent with the Bylaws of the Board of Trustees of The City University of New York, and nothing in this Plan should be read as inconsistent with the Bylaws of the Board of Trustees unless specifically so stated in this Governance Plan. The procedures that follow seek to encourage a spirit of relationship, trust, and community that operates within a framework of rules. The rules are designed to provide a framework within which people motivated by a sense of shared mission can operate in a manner that encourages responsibility and participation by all members of the Law School community.

3. In order to serve these ends, a governance system needs to respect both democratic modes of participation and an institutional authority that enables the Law School to maintain a coherent and coordinated expression of its purpose.

4. It is recognized that although the School has been operating since June 1982, and began its teaching program in September 1983, it will be in the process of developing for a significant further period of time which, for purposes of this Governance Plan, will continue until June 30, 1994. This Governance Plan refers to this period as the "developmental period." During this period, the Law School's emergent quality requires taking special care to encourage its academic growth through strengthening its ties to Queens College and providing for a continued sense of integrated purpose and ample room for experimentation. This Governance Plan shall be reviewed by the Chancellor of The City University of New York (the "Chancellor"), the President of Queens College (the "President"), and the Dean prior to the end of the developmental period. During the 1993-94 academic year, the Chancellor, upon appropriate consultation, including consultation with the Dean and the President, shall make such recommendations for changes in this Plan as he or she deems appropriate to the Board of Trustees for its consideration.

B. AFFILIATION WITH QUEENS COLLEGE

1. The City University School of Law at Queen College is a unit of The City University of New York ("The City University") affiliated with Queens College. Queens College shall supervise the operation and the management of the Law School and shall provide administrative services. The Law School is also a constituent element of The City University and shall have ties to all institutions within The City University.

C. RELATIONSHIP TO THE GRADUATE SCHOOL AND UNIVERSITY CENTER AND THE UNIVERSITY FACULTY SENATE

1. The Dean of the Law School and one other member of the Law School faculty, elected by the Law School faculty, shall be non-voting members of the Graduate Council of The Graduate School and University Center. The Graduate Council will not have responsibility for the Juris Doctor Program or other aspects of the operation of the Law School.
2. The Law School faculty shall be represented in the University Faculty Senate in accordance with the provisions of the Senate's Charter.

D. TITLES AND DEFINITIONS

1. The Board or Board of Trustees means the Board of Trustees of The City University of New York.

2. The authorization and definition of titles for faculty, permanent instructional staff, other instructional staff, and classified (non-instructional) staff at the Law School shall include only those titles authorized and defined in the Bylaws of the Board of Trustees.

3. Notices of reappointment at the Law School shall be handled in accordance with the Bylaws of the Board.

4. The term "administrative staff" or "administrators" shall mean full-time members of the instructional staff within the meaning of Section 6.1 of the Board of Trustees' Bylaws who are not members of the faculty.

5. The term "support staff" refers to persons, other than students enrolled at the Law School, who are working full-time at the School, or who have worked part-time, at least 10 hours per week, at the School for at least six months, and are not members of the instructional staff.

6. The term "House" refers to a learning unit of students. A "Section" is a group of two Houses.

7. The term "developmental period" refers to the time prior to the award of full accreditation of the Law School by the American Bar Association and the achievement of tenure by a majority of the full-time faculty.

II. THE DEAN

A. AUTHORITY OF THE DEAN

1. The Dean of The City University School of Law at Queens College shall be the chief educational and administrative officer of the Law School. The Dean of the Law School shall consult with and report to the President of Queens College. He/she shall have such additional duties and responsibilities, in addition to those set forth in this Governance Plan, as may be assigned to the Dean by the President of Queens College, the Chancellor, or the Board of Trustees.

2. Between the periodic evaluations provided for below, the Dean may be removed by the Board upon the recommendation of the President of Queens College and the Chancellor after consultation with the faculty of the Law School.

The Dean of the Law School shall be a tenured member of the Law faculty.

3. The Dean of the Law School shall exercise all the responsibilities customarily exercised by law school deans. He/she shall consult with and report to the President of Queens College. He/she shall have the affirmative responsibility for developing the academic program, enhancing the educational standards, and assuring the academic excellence of the Law School. Such responsibility shall include but not be limited to the following duties:

a. to recommend, as stated in this Governance Plan, the appointment, promotion, and tenure of persons who will contribute to the improvement of the Law School program. These recommendations shall be consistent with the immediate and long range objectives of the Law School;

b. to advise the President of Queens College, the Chancellor and the Board of Trustees on matters concerning the program of the Law School;
c. to provide advice concerning other law-related programs within The City University and to make recommendations on the development and operation of such programs;

d. to supervise and manage the work of the Law School faculty and employees, and to carry into effect the Bylaws, resolutions, and policies of the Board of Trustees;

e. to prepare and implement a long range plan for the Law School;

f. to act as chairperson of the faculty of the Law School and the Law School Committee on Personnel and Budget;

g. to review and recommend to the President of Queens College and other appropriate officials the actions of the Law School faculty on matters of curriculum and other matters falling under faculty jurisdiction;

h. to consult with appropriate faculty committees on matters of appointments, reappointments, and promotions, taking systematic student evaluations into account;

i. to develop Law School activities that enhance the Law School's involvement and reputation in the legal community;

j. to develop integrated courses of study with law-related disciplines;

k. to prepare and present an annual Law School budget to the President of Queens College.

B. APPOINTMENT AND REVIEW OF THE DEAN

1. When a vacancy occurs or is expected in the office of the Dean of the Law School, a Search Committee shall be established by the Chancellor with the following representation: Four members of the Committee shall be members of the Law School faculty. Two members shall be from the Law School student body. The Law School faculty and the student body shall each select from their respective groups those members whom they wish appointed to the Search Committee. Two members of the Committee shall be members of the Queens College faculty designated by the President. Two members of the Committee shall be faculty members of The City University designated by the Chancellor. Two members of the Committee shall be members of the Law School Board of Visitors designated by that body.

2. The Chancellor will select an additional member to be the Committee Chairperson, after consultation with the President of Queens College.

3. The Search Committee shall consult regularly with the Law faculty on the qualifications of candidates and take account of the faculty's views in making its recommendations. The Search Committee shall submit at least three recommendations to the President of Queens College. The President of Queens College shall recommend the three candidates to the Chancellor in rank-order. The Chancellor shall select a proposed Dean from among those names submitted by the President of Queens College or the Chancellor may require the Search Committee to reopen the search. The Chancellor shall recommend to the Board for appointment as Dean only a candidate who he/she is reasonably certain will contribute to the improvement of academic excellence at the Law School.

4. A committee which will be constituted in the same fashion as a Search Committee will be appointed at the beginning of every fourth year of a Dean's term to serve as a Review Committee to review the Dean's performance. This committee will make a report to the President of Queens College, the Chancellor and the Board.
III. THE FACULTY

A. ORGANIZATION AND DUTIES

1. The faculty of the Law School will meet on call of the Dean, and the Dean will preside at its meetings. Within general policies established by the Board of Trustees, through its Bylaws, resolutions, policies, rules, regulations, and this Governance Plan, the Dean and Faculty of the Law School shall have the responsibility for formulating and administering the program of the School, including such matters as faculty selection, retention, promotion and tenure; curriculum; methods of instruction; admission policies; and academic standards of retention, advancement and graduation of students.

2. The presence of a majority of the faculty shall constitute a quorum. A quorum shall be necessary for the transaction of any business. Business shall be conducted in accordance with Robert’s Rules of Order, latest edition. Minutes shall be kept of all meetings. The faculty may adopt such additional procedures for the discharge of its responsibilities under this Governance Plan as it may deem necessary, subject to the approval of the Dean.

B. FACULTY COMMITTEES

1. The Personnel and Budget Committee

a. Except for the period defined, and as described, in sub-paragraph b. below, the Law School shall establish a Personnel and Budget Committee which shall be composed of five persons. Members of the Personnel and Budget Committee shall be elected in accordance with the Bylaws and written policies of the Board of Trustees and one second or third year student elected by the students as a non-voting member. The manner of constituting the committee, and the procedure to be followed by it, shall be subject to the approval of the Dean of the Law School and the President of Queens College. This committee shall review all recommendations for appointment and reappointment, with or without tenure, to the faculty, and promotion in rank, special salary increases and increments, and applications for fellowship and other leaves. It shall recommend action thereon to the Dean. The Dean of the Law School will be one of the five members of the Law School Personnel and Budget Committee and shall serve as Chair.

b. During the developmental period, the membership and responsibilities of the Personnel and Budget Committee shall be as set forth in this Governance Plan, the Bylaws and written policies of the Board of Trustees, except that: (I) the President of Queens College shall each year select, in consultation with the Dean, two additional members who are tenured members of the faculty at other accredited law schools; (II) Section 9.1e of the Board of Trustees’ Bylaws, and Section I (3) (a) of the Statement of the Board of Higher Education on Academic Personnel Practice (adopted September 22, 1975), relating to the election of tenured faculty to personnel and budget committees, shall become applicable to the Law School effective September 1, 1990, with elections to be held during May of 1990.

2. Faculty Search Committees and Faculty Appointments

a. The Dean, in consultation with the Personnel and Budget Committee, shall establish such Faculty Search Committees as are appropriate. All faculty Search Committees shall adopt and follow appropriate procedures in order to assure compliance with The City University Affirmative Action policies and procedures. The Dean shall appoint a student member to each Search Committee.

b. A Faculty Search Committee shall report its recommendations to the Dean. The Dean shall review the recommendations and make his or her own recommendation regarding each faculty appointment to the Personnel and Budget Committee.

c. The Personnel and Budget Committee shall review the recommendations of the Dean, consult with the full-time tenured and tenure-track faculty, and shall make its own recommendation regarding each faculty appointment to the Dean.
d. The Dean shall review the recommendations of the Personnel and Budget Committee and shall recommend to the President of Queens College for appointment, only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence of the Law School.

e. The President will review the Dean's recommendations in accordance with Section C of this Article.

f. The President may designate a non-voting Queens College representative to the Law School's faculty selection process.

3. Faculty Reappointment, Promotion, and Tenure Review Procedures

a. The Personnel and Budget Committee and all other committees charged with the review of faculty shall review all candidates' qualifications under the policies and standards of The City University as set forth in the Bylaws, personnel policies, and resolutions of the Board of Trustees of The City University of New York.

b. The Dean shall review the affirmative recommendation(s) of the Personnel and Budget Committee and shall recommend to the President of Queens College for reappointment, promotion, and tenure only those persons who he/she is reasonably certain will contribute to the Improvement of the academic excellence at the Law School.

c. The President shall review the Dean's affirmative recommendations in accordance with Section C of this Article.

4. The Admissions Committee

a. The Admissions Committee shall include the director of Admissions, an Associate Dean designated by the Dean who shall chair the Committee, not fewer than three faculty, and two students who are members of the second or third year classes. Faculty appointments shall be for a term of two years.

b. No applicant may be admitted by the Law School except on the affirmative vote of the Admissions Committee. The Committee shall follow procedures that have been approved by the faculty and the Dean.

5. Scholastic Standards Committee

a. The membership of the Scholastic Standards Committee shall include an Associate Dean, who shall chair the Committee, four faculty members, and two third-year students.

b. The Committee shall review policies and procedures concerning scholastic standards and assist in the development of academic support systems for students.

6. Committee on Academic Standing

The membership of the Committee on Academic Standing shall include the Associate Dean for Academic Affairs who shall chair the Committee, three faculty and two students. The Committee shall apply the academic standards of the Law School to individual students from the time of entry until the granting of the Juris Doctor. The Committee will receive and act upon student appeals relating to academic matters. It shall report to the Dean. The Dean shall issue procedures implementing this provision.

7. The Curriculum Committee

a. The Curriculum Committee shall be composed of not fewer than four faculty and three student members. The Dean shall designate the chair of the Committee from among the members of the Committee. The term of all faculty members shall be two years.

b. The Curriculum Committee shall have authority to consider all proposals to review, modify, or develop the course of study for each of the three years, and all proposals relating to the educational program, including, but not limited to, evaluation of student work and scheduling.
C. APPOINTMENTS AND REAPPOINTMENTS TO, AND PROMOTIONS WITHIN, THE INSTRUCTIONAL STAFF - PROCEDURE

1. All appointments and reappointments, including reappointments with tenure, to, and promotions within the Instructional staff, except where otherwise provided, shall be recommended to the Dean who shall review the recommendations and recommend to the President of Queens College only those persons who he/she is reasonably certain will contribute to the academic excellence of the Law School.

2. The President of Queens College shall review the affirmative recommendation(s) of the Dean.

3. The President shall recommend to the Chancellor for appointment, reappointment, promotion, and tenure only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence at the Law School.

4. The Chancellor shall review the President's affirmative recommendations and shall recommend to the Board of Trustees for appointment, reappointment, promotion, and/or tenure only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence at the Law School.

D. APPEALS

1. A Faculty member may appeal a negative decision of the Personnel and Budget Committee regarding his or her candidacy to the Dean, who shall consider, decide, and notify the candidate regarding the appeal.

2. A faculty member may appeal a negative decision of the Dean regarding his or her candidacy to the President of Queens College, who shall consider, decide, and notify the candidate regarding the appeal.

IV. THE ASSEMBLY

A. COMPOSITION

1. The forum for discussion of matters affecting the Law School community as a whole shall be the Assembly. Its membership shall consist of members of the faculty and administrative staff; five regular members and one alternate member of the support staff; and one student from each House. The Dean shall preside at meetings of the Assembly. The Dean and Faculty shall take Assembly discussions into account in making their decisions regarding policy matters.

2. The presence of a majority shall constitute a quorum. A quorum shall be necessary for the transaction of any business. Business shall be conducted in accordance with Robert's Rules of Order, latest edition. Minutes shall be kept of all meetings.

3. All members of the support staff shall be eligible to participate, according to procedures determined by them, in the selection of the regular and alternate members of the Assembly. The alternate member shall be authorized to participate in all discussion, and to participate in any vote that is taken at a meeting held on a day that one or more of the regular members are not present. Such members shall be chosen for a period of one year.

4. Unless provided otherwise in Bylaws adopted by the student body, the student members of each House shall select one of their number to participate in a panel, which in turn shall select the student members of the Assembly, who may be members of the panel, for a term of one year.

5. Meetings of the Assembly are open to members of the Law School community. Non-members of the Assembly who are members of committees whose work is to be discussed at a meeting may attend that meeting and participate in discussion. Other non-members of the Assembly may attend meetings as observers.
B. RESPONSIBILITIES

1. The Assembly may consider matters affecting the educational program, or the carrying on of the work of the Law School. It shall not consider any individual personnel matters. It shall meet at regularly stated intervals, at the call of the Dean, or on the written request of twenty percent of its members. The Dean shall circulate a proposed agenda to the members of the Assembly at least one week before each meeting. Persons desiring to raise questions for discussion or action at a meeting shall so advise the Dean, sufficiently in advance of the meeting to give notice of that intention to members of the Assembly, and in sufficient detail to facilitate informed discussion. A matter within the jurisdiction of a committee shall ordinarily be raised in the Assembly only after the committee in question has considered it.

2. The Dean or any committee having jurisdiction over a matter raising significant policy questions shall advise the members of the Assembly of proposed actions regarding such matter and shall give the fullest consideration to the views of the Assembly prior to implementing the proposed action in the event that the matter is promptly raised in the Assembly for discussion. The Assembly shall use the procedures stated above, in Article IV Section A (2), in its consideration of the matters raised.

C. ASSEMBLY COMMITTEES

1. Committees are the basic working units of the Law School governance process. Committee members, therefore, have the responsibility for investigating, assessing, and, subject to the reviewing authority of the Assembly, recommending matters within the committee’s charge. For the committees’ work to be carried on consonant with the School’s mission, respect must be given to both the responsibility of the committees to inform and to listen to the other members of the Law School community about matters that fall within their charge, and the responsibility of the members of the Law School community to accord the committees the discretion necessary to enable them to carry out their functions.

2. The Assembly committees shall be those specified below and those created by action of the Assembly or the Dean. The Assembly shall not establish any committee with jurisdiction over any personnel matter, or any individual student scholastic standing or admissions matter.

3. The Dean, after consulting with its members, shall designate one member of each Assembly committee to serve as chairperson, subject to the principle that committees traditionally deemed central to the articulation of educational policy, such as the committees on admissions policy, and the library, shall ordinarily be chaired by a person who holds a professorial appointment. No person, other than the Dean, shall chair more than one committee.

4. A Committee on Committees shall be constituted prior to the end of the spring semester of each year, consisting of the Dean and two persons, at least one of whom shall be a member of the faculty, selected by the Assembly. It shall decide, except with respect to committees that consider personnel matters and where specified in this Governance Plan or the Bylaws of the Board of Trustees, how many, if any, members of the faculty, administrative staff, support staff, and student body shall be appointed to each committee. It shall also select the members of each Assembly committee, subject to the following limitations:

   a. It shall consult members of the Assembly regarding their own and others’ membership on committees;

   b. student members of committees shall be selected according to procedures adopted by the student body, or, if the student body has not adopted any such procedures, by the panel referred to in Article IV Section A (4) above;

   c. support staff members shall be selected by the support staff according to procedures that they adopt; and

   d. the members of the faculty and administrative staffs, respectively, may disapprove, at a meeting called for the purpose, of the selections from those groups, and recommit the matter to the Committee for reselection.

5. The Law School supports the principle that students and staff should participate in governance through the work of its committees, and that such participation should be structured in a way that facilitates the assumption of responsibility on the part of committee members to become informed and experienced regarding the task involved.
Except as specified below or, in the case of newly created committees, at the time of their creation, committee membership shall be for a renewable term of one year. The terms of committee members shall begin on September 1, except that the terms of first-year students shall begin on January 1. All persons agreeing to serve on committees undertake thereby to serve for the term of their selection. Vacancies occurring by reason of resignation of student members may be filled only if more than two thirds of the term remains. Other vacancies shall be filled in the same manner as the vacant position was filled.

6. The Admissions Policy Committee

a. The Admissions Policy Committee shall include the Director of Admissions, an Associate Dean designated by the Dean who shall chair the Committee, not fewer than three faculty, and two students who are members of the second or third year classes. Faculty appointments shall be for a term of two years.

b. All proposals regarding admissions policy shall be referred to the Admissions Policy Committee for deliberation and recommendation, subject to the approval of the Faculty, the Dean, and the President of Queens College.

7. Resources Committee

a. The membership of the Resources Committee shall be composed of not fewer than three faculty members, two student members, one member of the administrative staff, and one member of the support staff.

b. The Resources Committee is charged with reviewing the fiscal impact of all program changes or developments and working with the Dean and Associate Deans to recommend proposed priorities for the allocation of resources, and to develop proposed standards for the allocation of funds. Decisions regarding resource allocation shall be made by the Dean, subject to the general oversight of the President of Queens College.

8. Library Committee

a. The membership of the Library Committee shall include the Chief Law Librarian, not fewer than three classroom teaching faculty, two student members, and one person holding a professorial library title. The Dean shall consult with the Chief Law Librarian in the selection of committee members.

b. The Library Committee is charged with reviewing the library development plan proposed by the Chief Law Librarian, and overseeing the development of policies and services.

9. Quality of Life Committee

a. The membership of the Quality of Life Committee shall include not fewer than three faculty, three student members, one member of the administrative staff, and one member of the support staff.

b. The Committee may consider questions involving relationships among faculty, administrators, staff, and students, and questions affecting the quality of life at the School and its effect on the educational program.

V. APPOINTMENT AND REAPPOINTMENT OF EXECUTIVES AND ADMINISTRATORS

A. DEAN

The Dean shall be appointed and reviewed in accordance with Article II of this Governance Plan.

B. ASSOCIATE AND ASSISTANT DEANS

1. Position Definition:

a. The Associate and Assistant Deans shall assume such administrative and academic responsibilities as the Dean shall assign. Appointments to these titles shall be made in accordance with this Governance Plan and the Bylaws and written policies of the Board of Trustees. Such appointments are to be recommended by the Dean to the President of Queens College. Remuneration for service as an Associate Dean or an Assistant Dean shall be included
In the recommendation of the Dean. The President of Queens College shall recommend to the Chancellor only those persons he/she is reasonably certain will contribute to the academic excellence at the Law School. The Chancellor shall recommend to the Board for appointment only those persons he/she is reasonably certain will contribute to the academic excellence at the Law School.

b. Associate and Assistant Deans shall share responsibility for the development of the Law School program and for its efficient operation. The Dean may recommend the appointment of candidates, including members of the Instructional staff, to serve as Associate Deans or Assistant Deans, to the President of Queens College in accordance with Section B 1 (a.) or this Article of the Governance Plan. Associate Deans may be removed in accordance with the Executive Compensation Plan policies established by the Board of Trustees. Assistant Deans serve at the pleasure of the Dean, and may be removed by the Dean, after consultation with the President of Queens College, in accordance with Board of Trustees and University policies.

2. Qualifications: Associate and Assistant Deans shall have, in addition to those qualifications of the Instructional title held, if any, such other qualifications as the Dean, after consultation with the President and the Chancellor, may prescribe.

C. INITIAL PROCESS FOR APPOINTMENT AND REAPPOINTMENT OF ADMINISTRATORS OTHER THEN THOSE IN DECANAL TITLES

1. Proposed appointments, other than acting or substitute appointments, to positions on the administrative staff shall be reviewed initially, after a search, by the Dean.

There shall be an Administrative Screening and Review Committee. The Dean shall make his/her recommendations to the Administrative Screening and Review Committee. The members of the Administrative Screening and Review Committee shall be appointed by the Dean and shall consist of no fewer than three members, at least one of whom must hold a professorial appointment, and a majority of whom must be administrators. An Associate Dean shall chair the Administrative Screening and Review Committee.

2. The Committee will review proposed appointments and reappointments, and proposed title and salary recommendations, for administrative positions to assure that the applicable University standards have been met, and that rates of pay for members of the Law School administrative staff take into account comparable rates at metropolitan area law schools and other institutions in The City University and, to the extent practicable, are commensurate for those with comparable tasks and comparable experience within The City University. The Committee shall make its recommendation to the Dean. The Dean shall review these recommendations in making his/her own recommendation to the President of Queens College for appointment or reappointment.

D. EVALUATION OF ADMINISTRATORS OTHER THAN THOSE IN DECANAL TITLES

Evaluation of the work of persons on the administrative staff is ultimately the responsibility of the Dean. The Dean, in consultation with the Administrative Screening and Review Committee as outlined in Section C above, may recommend for appointment or reappointment persons holding such titles in accordance with established University procedures to the President of Queens College.

E. APPOINTMENT OF PERSONS HOLDING PROFESSORIAL TITLES TO ADMINISTRATIVE DUTIES OTHER THAN THOSE IN DECANAL TITLES

1. The Administrative Screening and Review Committee of the Law School may recommend to the Dean that an administrative position be filled by an individual whose title is law school Instructor, law school assistant professor, law school associate professor, law school professor, or law school lecturer. Such recommendation may, but need not, include a recommendation that the person receive a change in remuneration for work in that title.

2. If the Dean concurs with their recommendation he/she may make such a recommendation to the President of Queens College in accordance with the procedures for appointments to the Instructional staff.
F. APPEALS

1. An administrator may appeal a negative decision of the Administrative Screening and Review Committee regarding his or her candidacy to the Dean, who shall consider, decide, and notify the candidate regarding the appeal.

2. An administrator may appeal a negative decision of the Dean regarding his or her candidacy to the President of Queens College who shall consider, decide, and notify the candidate regarding the appeal. The President may designate a vice president or full dean to review the appeal and make a recommendation regarding its resolution to the President.

VI. LAW SCHOOL BUDGET

The Law School budget shall be presented as a separate line in The City University budget, under the Queens College budget. The Law School budget will be prepared under the direction of the Dean of the Law School and submitted to the President of Queens College for his/her review and comment.

VII. DISCIPLINARY ACTION

A. Disciplinary matters involving Law School employees shall be handled in accordance with applicable Board of Trustees Bylaws and policies, and collective bargaining agreements, if applicable. The President in fulfilling his or her role shall act on the recommendation of, and, throughout the process, in consultation with the Dean.

B. The Law School shall have a Faculty/Student Disciplinary Committee in accordance with the Board's Bylaws.

VIII. BOARD OF VISITORS

A. There shall be a Board of Visitors for The City University School of Law at Queens College appointed by the Chancellor. The Board of Visitors shall be made up of distinguished jurists, lawyers, scholars, and other interested persons. Its role will be to advise the Law School about its academic program, its role in the community, placement of graduates, and the like. It shall assist the Dean, the President, the Chancellor and the Board of Trustees in all aspects of the Law School's development efforts. It shall serve as a liaison between the Law School, the legal profession, and the public and private groups which are served by the legal profession and participate in the legal process.

B. Members of the Board of Visitors will be appointed for three-year terms upon the recommendation of the President of Queens College and the Dean of the Law School, with the concurrence of the Chancellor.

C. The membership of the Board of Visitors should reflect the Law School's role in the Borough of Queens, in the City, the State, and the Nation. The Board of Visitors shall be governed by Bylaws promulgated by the Board of Visitors.

IX. AMENDMENTS

A. AMENDMENTS MADE DURING THE DEVELOPMENTAL PERIOD

1. Amendments to this Governance Plan may be recommended by the Assembly, the Faculty, the Dean, the President of Queens College, or the Chancellor.

Any recommendations which originate in the Law School Assembly or Faculty must be first submitted to the Dean for consideration. The Dean shall review the Assembly or Faculty recommendation(s). Any recommendation in whole or in part approved by the Dean or any modification thereof that the Dean determines to be in the best interests of the Law School shall be recommended to the President of Queens College for further consideration.

2. The President shall review the Dean's recommendations. Any recommendation in whole or in part approved by the President or any modification thereof that the President determines to be in the best interests of the Law School shall be recommended to the Chancellor for further consideration.
3. The Chancellor shall review the President's recommendations. Any recommendation in whole or in part approved by the Chancellor or any modification thereof that the Chancellor determines to be in the best interests of the Law School shall be recommended to the Board for approval.

4. No change in this Governance Plan shall be implemented until it has been adopted by the Board.

**B. REVIEW OF THE GOVERNANCE PLAN AT THE END OF THE DEVELOPMENTAL PERIOD**

1. At the end of the developmental period, a Governance Plan Revision Committee shall be appointed to consider the question of amending this Governance Plan. The committee shall be appointed by the Dean in consultation with the Faculty and the Assembly.

2. Amendments proposed according to the procedures set forth above, shall not be implemented unless they have been approved under the procedure outlined in Section IX. A. 2-4 of this Article.

**ADDENDUM**

**DUTIES AND QUALIFICATIONS OF THE LAW SCHOOL FACULTY**

A. LAW SCHOOL INSTRUCTORS, LAW SCHOOL ASSISTANT PROFESSORS, LAW SCHOOL ASSOCIATE PROFESSORS, LAW SCHOOL PROFESSORS, LAW SCHOOL LIBRARY ASSISTANT PROFESSORS, LAW SCHOOL LIBRARY ASSOCIATE PROFESSORS, LAW SCHOOL PROFESSORS

1. Position Definition: It shall be the responsibility of Law School Instructors, Law School assistant professors, Law School associate professors and Law School professors to perform teaching, research, professional and guidance duties. Their teaching responsibilities may include supervision of students in legal practice or other law-related activity. They shall also be responsible for committee assignments and such administrative, supervisory, and other functions as may be assigned by the Dean of the Law School. Law School associate professors and professors shall be responsible for continual peer evaluations of teaching members of the Instructional staff, with special local attention to their diligence in teaching and their professional growth. Senior faculty will be responsible for orienting their junior and newly appointed colleagues. Senior faculty shall be available for such consultation and assistance in problems of scholarship, professional activity, and teaching as the junior faculty may require.

2. Qualifications: a. LAW SCHOOL INSTRUCTOR: For appointment as a Law School Instructor, the candidate must have demonstrated satisfactory qualities of personality, character, and legal ability. He/she must show potential as a faculty and an interest in productive scholarship, local work, or law-related work. He/she must show willingness to cooperate with others for the good of the Institution. He/she must have a J.D. or LL.B. from an accredited law school, unless the Dean of the Law School recommends to the President of Queens College for recommendation to the Chancellor and to the Board the appointment of an exceptional candidate despite the fact that he/she has not received a J.D. or LL.B.

   b. LAW SCHOOL ASSISTANT PROFESSOR: For appointment as a Law School assistant professor, the candidate must have demonstrated satisfactory qualities of personality, character, and legal ability. He/she must demonstrate or promise evidence of significant success as a faculty, interest in productive scholarship, legal work, or law-related work, and a willingness to cooperate with others for the good of the Institution. He/she must also have a J.D. or LL.B., or a Ph.D. in a law-related discipline.

For appointment as Law School library assistant professor, the candidate must, in addition to the requirements of Instructor, have completed an M.L.S. unless the Dean of the Law School recommends to the President of Queens College for recommendation to the Chancellor and to the Board appointment of such person without such qualifications.
c. LAW SCHOOL ASSOCIATE PROFESSOR: For promotion or appointment to the rank of Law School associate professor, the candidate must possess the qualifications for a Law School assistant professor, and must possess a record of significant achievement in the legal field or some directly relevant and applicable law-related field. There shall be evidence that his/her professional and intellectual achievement is respected outside his/her own immediate academic or legal community. There shall be evidence of his/her continued growth and continued effectiveness in teaching. Longevity and seniority alone shall not be sufficient for promotion.

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

d. LAW SCHOOL PROFESSOR: For promotion or appointment to the rank of Law School professor, the candidate must possess the qualifications for a Law School associate professor and, in addition, a record of exceptional intellectual, educational, and professional achievement and an established reputation for excellence in the field of law or some relevant law-related field. There shall be evidence of his/her continued growth, and the judgment on promotion shall consider primarily evidence of achievement in teaching and in scholarship or professional work following the most recent promotion. Longevity and seniority alone shall not be sufficient for promotion.

For promotion to or appointment as Law School Library Professor, the candidate must, in addition to the requirements set forth for associate professors in the law library, possess a record of exceptional achievement in his/her profession. There shall be evidence of his/her continued growth, and the judgment on promotion shall consider primarily evidence of achievements recognized and respected outside his/her own immediate academic or legal community following the most recent promotion. Longevity and seniority alone shall not be sufficient for promotion.

B. LAW SCHOOL ADJUNCT INSTRUCTORS, LAW SCHOOL ADJUNCT ASSISTANT PROFESSORS, LAW SCHOOL ADJUNCT ASSOCIATE PROFESSORS, LAW SCHOOL ADJUNCT PROFESSORS

1. Position Definition: Persons employed in this adjunct series shall be assigned to teach part-time or perform related duties part-time.

2. Qualifications: For appointment as Law School adjunct Instructor, Law School adjunct assistant professor, Law School adjunct associate professor, or Law School adjunct professor, a person must have those qualifications or professional achievements and training comparable to those faculty members in the corresponding ranks of Law School Instructor, Law School assistant professor, Law School associate professor, and Law School professor. The Dean of the Law School may recommend to the President of Queens College for recommendation to the Chancellor and to the Board the appointment to one of these positions someone who is exceptionally qualified without meeting every criterion specified.

* * * * * *

Adopted by the Board of Trustees on June 27, 1983 and June 24, 1985

Revised February 27, 1989, January 29, 1989