MINUTES OF THE MEETING OF THE BOARD OF
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK
HELD
MARCH 23, 1992
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80TH STREET - BOROUGH OF MANHATTAN

In the absence of the Chairperson, the Vice Chairperson called the meeting to order at 4:42 P.M.

There were present:

Edith B. Everett, Vice Chairperson

Herman Badillo
Blanche Bernstein
Sylvia Bloom
Gladys Carrion
Louis C. Cenci

Michael J. Del Giudice
Stanley Fink
William R. Howard
Harold M. Jacobs
Susan Moore Mouner
Calvin O. Pressley

Jean C. Lamarré, ex officio

Secretary Genevieve Mullin
Robert E. Diaz, General Counsel and Vice Chancellor for Legal Affairs

Chancellor W. Ann Reynolds
Deputy Chancellor Laurence F. Muccio
President Roscoe C. Brown, Jr.
President Josephine Dunbar Davis
President Ricardo R. Fernandez
President Leon M. Goldstein
President Matthew Goldstein
President Bernard W. Harleston
President Frances Degen Horowitz
President Edison O. Jackson
President Augusta Souza Kappner
President Shirley Strum Kenny
President Paul LeClerc
Acting President James N. Loughran

President Gerald W. Lynch
President Charles E. Merlith
President Isaura S. Santiago
President Kurt R. Schmeller
President Edmond L. Volpe
Sr. Vice Chancellor Donal E. Farley
Vice Chancellor Ira Bloom
Vice Chancellor Joyce F. Brown
Acting Vice Chancellor Allan H. Clark
Vice Chancellor Jay Hershenson
Acting Vice Chancellor Marcia V. Keiza
Vice Chancellor Richard F. Rothbard
Dean Stanford R. Roman, Jr.

The absence of Mr. Murphy and Dr. Tam was excused.
A. MEMORIAL RESOLUTION MARKING THE DEATH OF FORMER TRUSTEE SHIRLEY ULLMAN WEDEEN:  
WHEREAS, The death of Shirley Ullman Wedeen is noted with profound sorrow and deep regret by the Members of the Board of Trustees of The City University of New York; and  

WHEREAS, She discharged the office of Chair of the University Faculty Senate and ex officio member of the Board of Trustees from May of 1986 to May of 1990 with distinction, acting as a strong and effective elected voice of the faculty in University governance; and  

WHEREAS, Dr. Wedeen taught education courses at Brooklyn College since 1948 and was a full Professor of Education since 1971; and  

WHEREAS, She created the first remedial reading program in The City University of New York and ran it from 1961 to 1964 and wrote the widely-used texts College Remedial Reader and Advanced College Reader; and  

WHEREAS, Dr. Wedeen served with devotion and diligence on numerous standing Board Committees, including the Committee on Academic Policy, Program and Research; Committee on Public Affairs; and the Long-Range Planning Committee, and on such Ad Hoc or special committees as the search committees for a Chancellor, for a president of New York City Technical College, and for a president of Eugenio Maria de Hostos Community College and on the Robert J. Kibbee Awards Committee, the Ad Hoc Committee on Diversity and Pluralism, the Ad Hoc Committee on Presidential Personnel Policies and the Task Force on Student Life; now therefore  

BE IT HEREBY RESOLVED, That the Board of Trustees of The City University of New York expresses its deepest sympathy to her family and friends and its gratitude for her years of devoted service to her College, the Board of Trustees, and The City University of New York.  

B. MEMORIAL FOR PRESIDENT ROBERT L. HESS: Mrs. Everett noted that a memorial service for President Hess was held at Brooklyn College on March 13. Trustees Bernstein, Bloom, Carrion, Cenci, Jacobs, Mouner, Murphy, and Picken were in attendance. It was a really fitting memorial for Dr. Hess and also very moving and meaningful to everyone who attended.  

Mrs. Everett added that another bad piece of news unfortunately is the death of former Vice Chancellor for Academic Affairs Marguerite Ross Barnett. Many of us were not even aware of her illness and so it came as a great shock when we learned of her death. Trustee Bloom will be offering a memorial resolution later in the meeting. She added that Dr. Bernstein, as Chair of the Committee on Academic Program, Policy, and Research, had worked very closely with Dr. Barnett and had the absolute highest regard for her.  

Dr. Bernstein commented that she was very upset when she read the newspaper accounts of her death. Dr. Barnett was an extraordinary woman, very intelligent, very able, very quick, and very devoted to the University. She recalled that she had told Dr. Barnett she understood her decision to leave the University to accept a presidency but regretted her leaving.  

C. CHANCELLOR'S HONORS: Chancellor W. Ann Reynolds was elected President of ACUSNY, the Association of Colleges and University's of the State of New York at its 85th annual meeting. She is the first president to serve the newly reorganized ACUSNY, whose primary mission will be to promote inter-sector cooperation among CUNY, SUNY, and the private colleges and universities throughout New York State.  

D. PRESIDENT HONORS - BOROUGH OF MANHATTAN COMMUNITY COLLEGE: President Augusta Souza Kappner was a guest on Senator David Patterson's "Report from the Senate," on Crosswalks cable television network. The show, which focussed on the impact of budget cuts to the City University is scheduled to air on Manhattan Cable (Channel 25), Paragon Cable (Channel 15) and Channel 74 in the other boroughs on March 25, March 29, April 1 and April 5.
E. COLLEGE HONORS - BERNARD M. BARUCH COLLEGE: Dollars and Sense, Baruch College's Business Review, an undergraduate publication produced by the students in the Business Communications Program has won its fourth consecutive Gold Crown Award. The award, sponsored by the Columbia Scholastic Press Association voted Dollars and Sense the "top honor" over Yale, Penn, Harvard, Columbia, USC and the University of Missouri – all of them renowned for their journalism programs.

F. COLLEGE HONORS - THE CITY UNIVERSITY SCHOOL OF LAW AT QUEENS COLLEGE: The CUNY Law School Clinic was voted fourth nationally in the area of Clinical Training in the March 23, 1992 edition of U.S. News & World Report. The survey, entitled America's Best Grad Schools, listed the "best in their fields," and was the opinion of law school deans, senior faculty and academic specialists.

G. DEAN HONORS - THE CITY UNIVERSITY SCHOOL OF LAW AT QUEENS COLLEGE: Dean Haywood Burns gave the keynote address and also received an award for a lifetime of service and commitment at the March 14 National Convention of Black Law Students.

H. FACULTY HONORS: a) Karen L Greenberg, associate professor of English at Hunter College, has been selected as one of the nation's outstanding freshman advocates by the National Resource Center for the Freshman Year Experience.

b) Syed V. Ahamed, professor of computer science at the College of Staten Island and the Graduate School has been elected a Fellow of the Institute of Electrical and Electronics Engineers.

c) Lawrence V. Castiglione, professor of secondary education at Queens College, has been awarded the 1991-92 faculty fellowship by CUNY's John D. Calandra Italian American Institute for a study of the psychological and cultural correlates of vocational choice among Italian American youth.

d) Maria Vasquez, acting director of the Office of Academic Advising at City College, was one of 26 women selected for this year's National Hispana Leadership Institute. The institute prepares Hispanic women to promote the advancement and development of the Hispanic community.

e) Mario Fratti, professor of Romance languages at Hunter College, has written the book and lyrics for Encounter 500, a new musical about Christopher Columbus that is headed for Broadway this spring.

f) Emece B. Kelly, associate professor of English at Kingsborough Community College, has had her article, "Spike Lee, Social Issues and Short Films in the English Classroom," selected for inclusion in the ERIC Clearinghouse on Reading and Communication Skills.

g) Carol Lindquist and Daniel Smith, professors of the developmental skills department at Borough of Manhattan Community College, have been selected for participation in the CUNY/Shanghai University Exchange project to establish a center for the teaching of English-as-a-Second Language.

I. STUDENT HONORS: a) BOROUGH OF MANHATTAN COMMUNITY COLLEGE: Juanita Daley, a human services major and a Community Resident Aide at OMRDD's Manhattan Development Center, has been named a Kennedy Fellow.

b) THE CITY COLLEGE OF NEW YORK: Eleven students from The City College have been selected for the 1992 edition of Who's Who Among Students in American Universities & Colleges.

J. GRANTS: Vice Chair Everett presented for inclusion in the record the following report of Grants $100,000 or above received by the University since the last Board meeting.

Borough of Manhattan Community College:

Brooklyn College:

a. $449,500 NSF to Professors Paul Jablon, Education and Nehru E. Cherukupalli, Geology and Dean Madeleine Grumet, Education, for Teacher Preparation: An Interdisciplinary Urban Multicultural Teacher Preparation Program in the Sciences: "The Brooklyn Plan."

b. $134,624 Westinghouse Hanford Company to Professor Micha Tomkiewicz, Physics, for Technical Support: In Situ Electrochemical Characterization of Grouted Radioactive Waste.

The City College:

a. $718,111 NSF to G. Benenson, Technology, for The Urban Environment as the Vehicle for Elementary School Science Teaching.

b. $100,000 NSF to J. Gallagher, Biology, for Phylogeny of Skeleton (Bacillariophyceae).

c. $168,300 NSF to B. Sakiia, Physics, for Problems in Strong and Weak Interactions.

The Graduate School and University Center:

a. $112,479 U.S. Air Force to Professor David Swinney for Temporal and Qualitative Decomposition of Plausible Reasoning.

Herbert H. Lehman College:

a. $100,000 Rockefeller Foundation to President Ricardo R. Fernandez and Joseph Pereira for Latino Urban Policy Initiative.

Queens College:

a. $131,460 U.S. Department of Defense/Air Force Office of Scientific Research to Dr. Fred Cadieu, Physics, for The Synthesis of Microwave Magnetic Materials as Oriented Sputtered Films.

York College:

a. $176,269 NYS Department of Education to V.P. James Hall/Mr. Ronald Thomas, Adult & Continuing Education for ESL, GED and citizenship training to eligible legalized aliens and recently documented immigrants.

At this point Mr. Fink joined the meeting.

K. ORAL REPORT OF THE CHANCELLOR: Chancellor Reynolds reported that with respect to the State budget deliberations the University continues to work very, very strongly in Albany towards the April 1st deadline. The colleges have been working on letter writing campaigns, town hall meetings, and meetings with individual legislators. In addition, the University has done something different this year that she thinks has worked out very well and that is that a president in each borough was asked to organize meetings of other presidents and legislators from that borough so that each legislator could become better apprised of the current State budget situation and its impact on specific colleges in their respective districts. The Administration has had awfully good work from the presidents, students, faculty, staff, and alumni on this issue.
She reported that she has continued to meet with Speaker Weprin, Senators Marino, LaValle, and Lombardi, Assemblymen Sullivan and Silver, and others in Albany who serve in a role directly relative to the CUNY budget. She met last Wednesday with members of the Black and Puerto Rican Caucus who are preparing some special documents and help and have informed her that CUNY is at the top of their priority list. She also met with the New York City Senate Republican leaders earlier this month to indicate how very, very important it is to produce a restoration for the City University of New York. In addition to seeking restorations in both the senior and community college budgets, the University is also focusing on aid to part-time students as almost half of its students are part-time students. The entire aid to part-time students budget is only $8 million and the University could actually use $11 million in aid to part-time students if the tuition is increased as currently proposed.

The Chancellor was pleased to indicate that the Article VII bills that the University found ominous and very, very inappropriate for CUNY have been withdrawn. One of these bills would have dissolved the Dormitory Authority and the other would have stopped prefinancing for the City of New York and, de facto, separated our community colleges and our senior colleges in their collective bargaining. She has been in close contact with Budget Director Bulgaro. The University is trying hard to make sure that it is responsive to the concerns of the Division of Budget with respect to the Construction Fund and prefinancing.

The Administration is working with SUNY community colleges to maximize issues as well, most particularly on the recommendation that baseline aid to students in the community colleges has been cut, they are working to have that restored.

Chancellor Reynolds reported that the City budget waits for the outcome of State budget discussions. She testified before the City Council on the Mayor's Financial Plan on March 4 and met just last week for quite a while with Budget Director Philip Michael on the University's specific concerns. Last week the Borough Presidents called for restoration of $8 million to the community college budget and a restoration of the $13.1 million to New York City Technical College and John Jay College of Criminal Justice. The Administration is continuing to work with all individuals concerned with the University's budget and she will continue to keep the Board informed as the budget negotiations progress.

Chancellor Reynolds said she did want to add to Chair Everett's remarks that President Augusta Kappner represented the Board and the presidents at the funeral ceremonies for President Ross Barnett in Virginia. She was especially pleased by the excellent Trustee and presidential support and participation in the beautiful memorial service at Brooklyn College for President Hess. She also indicated on a sad note that Distinguished Professor Wilfred Cartey of the Department of Black Studies at City College passed away this weekend after a long illness.

Upon motions duly made, seconded and carried, the following resolutions were adopted (Calendar Nos. 1 through 9)

NO. 1. UNIVERSITY REPORT: RESOLVED, That the University Report for March 23, 1992 (including Addendum Items) be approved as revised as follows:

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

ERRATA: Add the following:

1. QUEENS COLLEGE:

PB-001 APPOINTMENT OF PROFESSORIATE STAFF (AFFIRM ACTION REPORT ON FILE EXCEPT ACTING, VISITING & SUBSTITUTE APPOINTMENTS) (SW INDICATES WAIVER OF SEARCH) The entry for Phillip A. Schneider is withdrawn.

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 March 23, 1992 (including Addendum Items) be approved.

(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. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the regular Board meeting of February 24, 1992 be approved.

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

A. BARUCH COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract for uniformed guard service at all the buildings occupied by the College on behalf of Baruch College. The contract shall be awarded to the lowest responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University Regulations, the cost of such service not exceeding a total estimated cost of $875,000 chargeable to Code 234801400 for the annual period July 1, 1992 to June 30, 1993. The contract shall include up to three annual options to renew at the same cost, with provision for escalations as permitted by law, but in no event to exceed 10% per annum. The contract shall be subject to approval by the University Director of Security and as to form by the University Office of General Counsel.

EXPLANATION: Uniformed guard service is required to ensure a safe environment for students, faculty, and staff at Baruch College. The University Director of Security will review the College's security plan and the terms of the proposed contract.

B. THE GRADUATE SCHOOL & UNIVERSITY CENTER - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of The Graduate School & University Center to purchase uniformed guard service. The contract shall be awarded to the lowest responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University Regulations. Such purchase shall not exceed a total estimated cost of $800,000 for the annual period from July 1, 1992 to June 30, 1993, chargeable to code 234803409. The contract shall include up to four annual options for the College to renew in its best interest with provision for escalation reflecting increases as permitted by law but in no event to exceed 10% per annum. The contract shall be subject to approval by the University Director of Security and as to form by the University Office of General Counsel.

EXPLANATION: Uniformed guard service is required for the security of personnel and property at the Graduate School & University Center. The University Director of Security will review the College's security plan and the terms of the proposed contract.

C. LEHMAN COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Lehman College for uniformed guard service. The contract shall be awarded to the lowest responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University Regulations, for the period from 7/1/92 to 6/30/92, the cost of such purchase not exceeding a total estimated cost of $1,200,000.00 per year chargeable to code 70070/276/3301/234/2/2/01/409 for the fiscal year ending 6/30/93. Said contract to include up to four annual options for the College to renew at the same cost, and provision for justified escalation reflecting increases as permitted by law but in no event to exceed 10% per annum. The contract shall be subject to approval by the University Director of Security and as to form by the University Office of General Counsel.

EXPLANATION: The continuation of Uniformed guard service is essential to the security of the College. The University Director of Security will review the College's security plan and the terms of the proposed contract.
D. HUNTER COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Hunter College for uniformed security guard service at the College with the lowest responsible bidder after advertisement and public bidding by the College pursuant to law and University Regulations for the period July 1, 1992 to June 30, 1993 at a total estimated cost of $950,000 chargeable to expense code 234801409, 217801409 and 329322409 or such other funds as may be available; said contract to contain up to four (4) annual options by the College to renew at the same cost, plus escalations not to exceed 10% per annum. The contract shall be subject to approval by the University Director of Security and as to form by the University Office of General Counsel.

EXPLANATION: This contract is required to provide Uniformed guard service to safeguard the faculty, staff, students and property of the College. The University Director of Security will review the College's security plan and the terms of the proposed contract.

E. QUEENSBOROUGH COMMUNITY COLLEGE - UNIFORMED GUARD SERVICE CONTRACT:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Queensborough Community College to purchase uniformed guard service. The contract shall be awarded to the lowest responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University Regulations. Such purchase shall not exceed a total estimated cost of $544,850 for the annual period from July 1, 1992 to June 30, 1993, chargeable to FAS Code 2-348-01-419. The contract shall include up to four annual options for the College to renew in its best interest with provision for escalation reflecting increases as permitted by law but in no event to exceed 10% per annum. The contract shall be subject to approval by the University Director of Security and as to form by the University Office of General Counsel.

EXPLANATION: Uniformed guard service is essential to the College to provide protection and security of personnel, facilities, equipment and supplies. The University Director of Security will review the College's security plan and the terms of the proposed contract.

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

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Borough of Manhattan Community College to purchase guard service. The contract shall be awarded to the lowest responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University Regulations. Such purchase shall not exceed a total estimated cost of $1,100,000 for the annual period from July 1, 1992 to June 30, 1993, chargeable to FAS Code 2-348-01-419. The contract shall include one annual option for the College to renew at the same rates, terms and conditions. The contract shall be subject to approval by the University Director of Security and as to form by the University Office of General Counsel.

EXPLANATION: The present contract expires June 30, 1992 and continued service is required. The University Director of Security will review the College's security plan and the terms of the proposed contract.

G. LAGUARDIA COMMUNITY COLLEGE - MAINTENANCE SERVICES:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract for maintenance services on behalf of LaGuardia Community College. The contract shall be awarded to the lowest responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University Regulations, for the period July 1, 1992 thru June 30, 1993, the cost of such purchase not exceeding a total estimated cost of $1,700,000 chargeable to code 217801409 said contract contains up to four (4) annual options by the College to renew at the same cost, plus escalations not to exceed 10% per annum. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Maintenance services are essential to insure the safety and health of faculty, staff, students and to insure continued maintenance of College buildings.
H. NEW YORK CITY TECHNICAL COLLEGE - YORK HERMETIC CENTRIFUGAL COMPRESSOR AND CHILLER:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to approve a contract for the repair of a York Hermetic Centrifugal Compressor and Chiller, and the installation of a new butterfly valve, a new Y-strainer and two new pressure gauges in the air conditioning unit at Voorhees Hall, 186 Jay Street, Brooklyn, New York 11201, on behalf of New York City Technical College. The contract shall be awarded to the lowest responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University Regulations, the cost of such purchase not exceeding a total estimated cost of $100,000 chargeable to capital construction funds. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: This repair of the air-conditioner chiller is necessary maintenance to ensure its continuing dependable operation.

I. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - LOCAL TELEPHONE SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Borough of Manhattan Community College for the purchase of local telephone service for a multi-year period beginning July 1, 1992. The contract will be for three, five or ten years, depending on budget ability and the best terms and conditions available. The average annual cost for the contract period is $190,000, chargeable to FAS code 2-36601-420. The contract, its terms, and all issues relating to contracting for the services of a regulated utility will be reviewed by the University's Office of Legal Affairs.

EXPLANATION: The College currently owns and maintains an eleven year-old switch. The increasing maintenance costs and frequent unavailability of replacement parts necessitates a change in the method of delivering dial tone to the campus. In the interest of economy and improved service, the College plans a multi-year approach that will provide for off-campus switching using the most modern technology. Under the proposed arrangement, the failing campus switch will be retired and all switch maintenance costs will be covered by the new contract. Keeping the switch functioning will become the responsibility of the vendor.

J. BROOKLYN COLLEGE - TELEPHONE EQUIPMENT REPLACEMENT:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Brooklyn College for the purchase of the telephone sets currently installed at the College, and to subsequently replace them with comparable reconditioned phones with touch tone dialing capability. The college plans for the buy-out and replacement to take place during the 1991-92 and 1992-93 fiscal years. The contract will contain a maintenance provision for the new equipment. Costs are estimated at $265,000 in 1991-92 and $150,000 in 1992-93. Including the cost of maintenance (estimated at $6,000 per month), the replacement plan will lead to considerable long term savings by eliminating the monthly telephone equipment rental costs. As with the arrangements for local telephone service, the contract will be reviewed by the University's Office of Legal Affairs.

EXPLANATION: Coinciding with the replacement of its obsolete switch, the College will embark on a plan of upgrading the telephone station equipment (phone sets) to provide improved service to faculty and administrative offices. Purchase of this equipment is cost effective given the high cost of renting very old equipment and the relatively inexpensive cost of reconditioned equipment that provides better service at a low maintenance cost.

K. BROOKLYN COLLEGE - LOCAL TELEPHONE SERVICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Brooklyn College for the purchase of local telephone service for a multi-year period beginning July 1, 1992. The contract will be for three, five or ten years, depending on budget ability and the best terms and conditions available. The average annual cost for the contract period is estimated at $230,000, chargeable to FAS code 2-36601-420. The contract, its terms, and all issues relating to contracting for the services of a regulated utility will be reviewed by the University's Office of Legal Affairs.

EXPLANATION: The College is currently served by a 25 year-old switch resident on campus. It provides service for about 1250 lines. Since the switch was inadequate to support the College's growth needs, over the years approximately 480 additional direct dial lines have been installed. The existing switch will not be maintained by AT&T beyond June 30, 1992. Since the switch is already inadequate and replacement parts are not available, and in the interest of economy and improved service, the College plans a multi-year approach that will provide for off-campus switching using the most modern technology. Under the proposed arrangement, the failing campus switch will be removed and all local telephone service costs will be covered by the new contract.
L. HUNTER COLLEGE - REPAIR AND MAINTENANCE OF ESCALATOR SYSTEMS EAST/WEST BUILDINGS:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Hunter College for repair and maintenance service of escalator systems at Hunter College, East and West Buildings, with the lowest responsible bidder after advertisement and public bidding by the College pursuant to law and University Regulations for the period July 1, 1992 to June 30, 1993 at a total cost of $175,000 chargeable to expense code 217701460 or such other funds as may be available; said contract to contain up to four (4) annual options by the College to renew at the same cost, plus escalations not to exceed 10% per annum. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: It is essential that East & West Building escalators be kept in good working order. They are used to transport the College population between floors in areas where there is limited or no elevator service provided. Such areas are the library, and lower-level classrooms and Cafeteria. These areas are heavily traveled by students, faculty and staff.

M. THE COLLEGE OF STATEN ISLAND - PHYSICIAN ASSISTANT TRAINING PROGRAM:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of The College of Staten Island with Bayley Seton Hospital, 75 Vanderbilt Avenue, Staten Island, New York to implement the Physician Assistant Program. Bayley Seton Hospital will provide clinical and practical experience in physician assistant studies for up to fifteen (15) College of Staten Island students for the period July 1, 1992 through June 30, 1993 (the first year of the Program) at an estimated yearly cost of $78,750 ($5,250 per student) and an estimated yearly cost of $157,500 ($5,250 per student for up to thirty (30) students) for each succeeding year. The costs of the program will be chargeable to code 267401400 or such other funds as may be available. The contract is subject to approval as to form by the University Office of General Counsel.

EXPLANATION: At its May 28, 1991 meeting, The Board of Trustees approved a resolution to establish a physician assistant program leading to the Bachelor of Science degree at The College of Staten Island. This contract will enable students enrolled at the College to receive the health science instruction and clinical experience necessary for the Bachelor of Science degree at the College and to fulfill the eligibility requirements for Physician Assistant Certification by the National Board of Medical Examiners. The College will provide the first two years of liberal arts and science curriculum. Bayley Seton Hospital, which is accredited by the American Medical Association will provide the two-year clinical phase of the Program. This Program will represent a contribution toward filling the need for well-trained primary care personnel. (This contract will provide for the cancellation of a previous Affiliation Agreement entered into in April 1991 between The College of Staten Island and Bayley Seton Hospital).

N. KINGSBOROUGH COMMUNITY COLLEGE - HIGH TECHNOLOGY MICRO COMPUTER LABORATORY:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract or contracts on behalf of Kingsborough Community College for computer hardware associated with the establishment of a High Technology Micro Computer Laboratory with the lowest responsible bidder or bidders after advertisement and public bidding by the College pursuant to law and University Regulations, or to purchase the same through existing State, City, or Board of Education of The City of New York contracts, in either event the total estimated cost of such purchases shall not exceed a cost limitation of $373,623 chargeable to Code HN-C001 and/or such funds as may be available. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The College is planning this purchase to establish and support interactive capabilities in a lecture hall environment. A special appropriation for this acquisition has been included in the 1990-1991 City Capital Budget, Certificate CP-31323, (ID KG020-091).
O. KINGSBOROUGH COMMUNITY COLLEGE - PERSONAL COMPUTER LABORATORY:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract or contracts on behalf of Kingsborough Community College for computer hardware associated with the establishment of a personal computer laboratory with the lowest responsible bidder or bidders after advertisement and public bidding by the College pursuant to law and University Regulations, or to purchase the same through existing State, City, or Board of Education of The City of New York contracts, in either event the total estimated cost of such purchases shall not exceed a cost limitation of $550,994, chargeable to Code HN-C003 and/or such funds as may be available. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The College is planning this purchase to outfit its newly constructed building with seven micro laboratories. These labs, servicing various academic departments, will simultaneously serve to upgrade the College's Secretarial Sciences training program, allowing students to learn personal computer skills, as well as those required by standard typewriters and dedicated word processors. A special appropriation for this acquisition has been included in the 1991–1992 City Capital Budget, Certificate CP-31322, (ID KG019-061).

Mr. Howard reported that he wanted to bring to the Board's attention an item that did not appear formally before the Committee but does appear in the Chancellor's Report Addendum. This resolution details a special arrangement between the Borough of Manhattan Community College, The City of New York, and a private vendor that will enhance the College's ability to conduct teleconferencing. There will be no cost to the College's tax-levy budget and the arrangement will result in a significant gain for the College. University Counsel will be working with the College on the terms of the various agreements. These details are contained in resolution D.4 on pages 2 and 3 of the Chancellor's Report Addendum. This item was approved earlier as part of Cal. No. 2, Chancellor's Report.

NO. 5. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH: RESOLVED, That the following items be approved:

A. CERTIFICATE IN COMPUTER-AIDED ADVERTISING AND PUBLISHING - NEW YORK CITY TECHNICAL COLLEGE:

RESOLVED, That the program in Computer-Aided Advertising and Publishing leading to a Certificate to be offered at New York City Technical College be approved effective September 1992, subject to financial ability.

EXPLANATION: The purpose of the proposed program is to provide students with the knowledge and skills necessary to qualify for positions in electronic publishing composition and to prosper in the highly technical world of computer-aided advertising and publishing. The program is designed particularly to help upgrade skills for adults so that they can prepare for such job titles as computer typesetter, laser printer operator, copy preparer, copy fitter and electronic page preparer.

Graduates of the program will also have the opportunity to move up the career ladder by transferring all of their credits to the College's associate degree program in Graphic Arts Advertising Production Management or in Lithographer Offset Technology as well as in the Bachelor of Technology program in Graphic Arts Production Management. All of the courses in the program are currently being offered on a regular basis at the College. The program is therefore cost-effective and an appropriate addition to the career programs offered at the College.

Mr. Howard commented that he knows the University should look to the future but wonders what will happen to new programs like this one if there is a shortage of funding relating to New York City Tech. Chancellor Reynolds responded that one of the things that has been most difficult since both she and President Meredith came to CUNY is that the base budget funding for New York City Tech has been hanging over their heads like the sword of Damocles. It's been most unfair that this has happened because similar institutions in SUNY still have their entire funding. There are several Trustees here today who have been active in trying to help get this funding restored. It is very much at the level of Governor Cuomo and Mayor Dinkins and the Administration is continuing to push on this. She thinks It's important for the academic success of the campus to continue to do planning and continue to have programmatic considerations and to continue to meet the needs of its very fine student body.
President Merideth said he just wanted to echo what Chancellor Reynolds had said. He noted that in 1980 the College was granted senior college status and in over ten years not much has been done in terms of advancing the programs to have a more favorable ratio between the associate and baccalaureate degree programs. There is a College-wide strategic planning process to do that and he thinks the College has no choice but to continue to plan to meet its mission and to address that downside if it comes to pass and they are trusting that they won’t have to do that.

Dr. Bernstein commented that about two years ago at a meeting of the Academic Affairs Committee a request was made to provide the Committee with a report on the status of programs. The Committee was pleasantly surprised to learn that the presidents were doing some very sensible things because they were cancelling programs either because there was a lack of demand or a decrease in demand or the program has become somewhat obsolete and there was a need to develop a new one. She is sure they are continuing to do that although the Committee hasn’t asked for an update.

NO. 6. COMMITTEE ON STUDENT AFFAIRS, AND SPECIAL PROGRAMS: RESOLVED, That the following items be approved:

In moving the resolutions, Ms. Carrion made the following statement:

These items have been certainly much discussed and much controverted. At the last public hearing there were, at least, in excess of 50 individuals who spoke, out of the more than one hundred who were slated to speak. She thought it was fair to say that the students are opposed to this change while the presidents stand united in supporting it. All Trustee members of the Committee supported this as well as the presidents' representative, President Brown. As she recalled, the faculty representative and the student representative on the Committee were opposed to the changes.

Mr. LaMarre said that he would like to make a few statements and asked that they be entered in the record of this meeting. He said he found himself at a loss for words at the low level of attendance by many of the Trustees at the public hearings. He wanted to thank Trustee Mounier who chaired the meeting, and Trustees Cencl, Jacobs, Tam, and Bloom for attending what he considered one of the most significant public hearings to date. He also thanked Trustees Bernstein and Picken and apologized if he had left anyone out. He said there are days when he too wished to stay home and watch TV or play basketball or spend a quiet evening at home. He thinks that as a Trustee of this University he carries with him a great responsibility and listening to the concerns of the people that he thinks he is entrusted to serve is his duty and he thinks it should be the other Trustees as well. He is also concerned about this developing pattern of the Chancellor being absent from these public hearings and urged her as the chief administrator of this University to listen to its largest population. He thinks the Board has to start working on its level of participation insofar as the governance of this University is concerned.

He stated that there is something that he'd like to talk about here today that is very significant. He's heard it articulated over and over again within the past couple of weeks and he hopes to share it with the Board and put it in the record. In 1981 a proposal identical to the one being offered today was set forth by Dennis Cabral who was then Chairperson of the CUNY Task Force on Student Activities. It was initiated by the Council of Presidents at that time and championed by Dr. Brown. At that time an injunction was sought and obtained by then USS chairperson Garth Marchant. This injunction signed by Judge Norman Ryp, a member of the New York State Supreme Court, literally stopped the University from implementing this proposal for a year and a half. In the interim students gathered their forces and sought the aid of their legislators and this was reflected in a two-house bill in the State Legislature. This bill called for parity with SUNY where the student activity fee is controlled entirely by their student governance group. At this point the two chairs of the respective higher education committees called for a compromise.

Mr. LaMarre quoted from the Board minutes of June 28, 1982. On the student activity fee policy it was pointed out that it was no longer any judicial restraint on the implementation of the student activity bylaw. Acting Chancellor Goldstein reported on concerns expressed by Assemblyman Siegel and Senator LaValle with respect to certain aspects of the student activity fee policy adopted by the Board in 1981 and on meetings held by a representative group from the University with the staffs of the Assembly and Senate Committees on Higher Education on this matter. So here we have in black and white the University acknowledging that this meeting between Senator LaValle and Assemblyman Siegel took place and a compromise had been reached. What was the compromise? The University debated this issue extensively. It went back to the Student Affairs Committee. This compromise, of course, brought a lot of nervousness within the University, a lot of concerns, because here is a proposal legitimately set forth by the leading administrators of the University and through legislative activities it was forced back to the negotiating table because surely this was going to pass the Higher Education
University and through legislative activities it was forced back to the negotiating table because surely this was going to pass the Higher Education Committee in the State Legislature, both Houses. And of course the University didn’t want this to happen, they didn’t want this to become law. So what happened? At the meeting on July 14, 1982, the Chairman of the Board, James Murphy, presented to this Board the following statements: "As for the consideration of those possible modifications," now he’s talking about the modifications that came out of the negotiations, or the compromise, "Acting Chancellor Goldstein has addressed a letter to Chairman Siegel of the Assembly Committee on Higher Education reporting the willingness of the leadership of the Board Committee on Student Affairs to consider the desirability of such changes as would to some extent conform our bylaws on this subject with those of the State University." The Chairman goes on to say "As Chair I have endorsed the undertaking by the Chancellor and by the leadership of the Student Affairs Committee promptly to consider such changes." This is the Chairman speaking in 1982 regarding an exact same proposal that came before this Board. In acknowledging this exchange of dialog between Ken LaValle and Assemblyman Siegel, the Chairman says, "There is available here today, I believe, a copy of the Chancellor’s letter to Assemblyman Siegel and Senator Kenneth LaValle on this subject." So this is not our concocting things, making things up but it’s documented proof. In the same minutes of this Board meeting on July 14, 1982 the Chairman said, "Chancellor Goldstein has also asked me to announce to the Board that in the process of drafting those proposed new amendments consistent with Chancellor Goldstein’s letter to Assemblyman Siegel and Senator LaValle, representatives of the University Student Senate and other relevant CUNY parties, and also interested members of the State Legislature will be consulted and included in the ongoing process as the University works on the drafting of those modifications to which I have referred," And finally let me just say that in the Board’s own minutes we clearly see a breech of contract on the part of the University.

There’s more documentation. On October 5, 1982 Vice Chair Everett, then Chair of the Committee on Student Affairs and Special Programs stated for the record, "Mrs. Everett introduced the proposed amendments to the Student Activity Fee Bylaw. She noted that the State Legislature had reviewed these changes and that they are in keeping with some of the Legislature’s recommendations." President Brown suggested that the resolution to amend the bylaws be moved. Mr. Garth Marchant stated, "that it was the Senate’s feeling that the changes would only make a bad situation worse and would do nothing to bring CUNY’s bylaws on student activity fees in compliance with those of SUNY’s." So we have here some of our own Trustees, some leading administrators, faculty, staff, clearly saying to the student body and the concerned members of the CUNY community let’s sit down and negotiate because we do not want this to go to the State Legislature. We don’t want this to become law. Let’s make a deal. So now almost eight years later there is a breech of contract and the University is going to propose something when they know clearly there is a competent Trustee sitting on this Board who is going to refute everything they did that they are proposing. My problem is this, if your intention was to propose this same change in the college association eight years later you should have allowed it to go to the State Legislature, bite it then, don’t stab us in the back, don’t agree with us on something and then turn around eight years later and propose the same thing before this Board. So there’s a clear breech of contract on the part of this University on this issue. And if this proposal passes today the students will have a legal obligation to fight this in court. So this is my legal argument which I have set forth, a breech of contract or agreement on the part of the University. There is also a moral and ethical argument surrounding this restructuring plan of the college associations, and these concerns I’ve heard articulated at some of these public hearings and numerous phone calls to my office. As you all know college presidents currently have an option to tap into 25% of the student activity fee, conventionally accepted as a college purposes fund. College presidents have that option, some college presidents use it others do not. It is their discretion. Allegations of abuse on many college campuses by some college presidents in which student activity fees have been, and to use your words, Inappropriately, or Improperly, or inequitably used by some college presidents. These students and community leaders brought documentations to these public hearings that some college presidents are using these fees inappropriately. So my concern becomes what happens when we give them the entire pot, when we say you can control the entire thing. The allegations were numerous with students complaining about college presidents contributing to political campaigns, buying liquor, and hosting various other functions which we would agree would be considered Inappropriate and Improper.
And finally to my conclusion. There is the logical argument regarding the restructuring of the college association. Students of logic are taught very early that an argument can be logical while at the same time invalid. The problem in such a case can be pinpointed in its premise. Faulty premises will yield faulty arguments. What does this have to do with the college association proposal? Well the premise upon which this entire proposal is based is that spending among student groups has been inappropriate or improper. But that’s false. You cannot show me one incident or one case in which the college association of a particular campus used monies inapropriately. There is no documentation or testimony attesting to the fact that students used monies inappropriately insofar as the college association is concerned. Because you cannot pinpoint or substantiate your premise I have a problem with accepting your argument. And so I have presented to you not only a legal argument, I have presented to you an ethical and moral argument and, finally, a logical argument as to why you should not pass this today and I’ll tell you this finally, if it does pass it will only be a waste of the Board’s time because we will all lose in court.

A. BYLAW AMENDMENT:

RESOLVED, That Section 16.5 of the Bylaws of the Board of Trustees of The City University of New York be amended as follows:

Section 16.5 COLLEGE ASSOCIATION: a. The college association shall have responsibility for the supervision and review over college student activity fee supported budgets. All budgets of college student activity fees, except where earmarked by the board to be allocated by another body, should be developed [and allocated] by a college association budget committee and recommended to the college association for review by the college association prior to expenditure. The college association shall review all college student activity fee, including student government fee allocations and expenditures [only] for conformance with the expenditure categories defined in Section 16.2 of this article and the college association shall disapprove any allocation or expenditure it finds does not so conform, or is inappropriate, improper, or inequitable.

b. A college association shall be considered approved for purposes of this article if it consists of [at least eleven (11)] thirteen (13) members, its governing documents are approved by the college president and the following requirement are met:

1. The governing board of the college association is composed of [at least one more student member than the combined total of faculty and administrative members and its chair is elected by and from the membership]; [2. There are an equal number of faculty and administrative members.] [i] The college president or his/her designee as chair.

[3.] [ii] [The] Three administrative members [are] appointed by the college president.

[4.] [iii] [The] Three faculty members [are] appointed by the college president from a panel whose size is twice the number of seats to be filled and the panel is elected by the appropriate college faculty governance body.

[5.] [iv] [The] Six student members [are] comprised of the student government president(s) and other elected students [and] with the student seats [are] allocated on a basis which will provide representation to each government, where more than one exists, as nearly as practicable in proportion to the student activity fees provided by the students from the respective constituencies.

[6] The college association structure provides [for one or more] a budget committee[s] composed of members of the governing board, at least a majority of whom are students selected in accordance with section 16.5(b) [(5)] (1)(iv) of these bylaws. [Each] The budget committee shall be empowered to receive and review student activity fee budget requests and to develop [and allocate] a budget subject to the review of the college association. The college association may choose to not approve the budget or portions of the budget if in their opinion such items are inappropriate, improper, or inequitable. The budget shall be returned to the budget committee with the specific concerns of the college association noted for further deliberation by the budget committee and subsequent submittal to the college association. If the budget is not approved within thirty (30) days those portions of the budget voted upon and approved by the college association board will be allocated. The remainder shall be held until the college association and the budget committee agree.

[7] The governing documents of the college association have been reviewed by the board’s general counsel and approved by the board.

NOTE: Matter underlined is new; matter in brackets to be deleted.
EXPLANATION: Pursuant to the State Education Law, the Board of Trustees imposes mandatory student activity fees for student government and other student activities and must administer the student activity fees in conformance with its fiduciary obligations for college or University purposes. Students who pay these fees as a condition of registration and the public expect the Board to insure that expenditures are made for programs and services which are educationally related, safe, and administered in a way that protects the college from misuse and unlawful use of funds. It has recently become clear that the college associations, as presently composed, impede the University in the exercise of its fiduciary obligations. The Board has therefore determined to return majority control of the college association to the college administration and faculty to insure that student activity fees are appropriately and properly expended in the best interests of the entire student body, while maintaining maximum student input in conformance therewith.

B. EFFECTIVE DATE AND IMPLEMENTATION OF BYLAW SECTION 16.5:
RESOLVED, That the amendments to Section 16.5 of the Bylaws of the Board of Trustees of The City University of New York be effective July 1, 1992.

EXPLANATION: The July 1, 1992 effective date will allow time for the modification of the governing documents of the college associations, the completion of expenditures for student activities during the Spring 1992 semester, and the completion of student government elections.

C. REPEAL OF BYLAW WAIVERS FOR BYLAW SECTION 16.5:
RESOLVED, That the Board hereby repeals all waivers to Board Bylaw Section 16.5, relating to college associations.

EXPLANATION: This resolution discontinues bylaw waivers currently existing for variations in the college association structure for Brooklyn College (3 students, 2 administrators/faculty); Hunter College (one more faculty than administrator); the Graduate School (college president performs functions); and the Law School at Queens College (21 students, 3 administrators/faculty/staff), thereby providing uniformity among the campuses.

D. QUEENS COLLEGE STUDENT ACTIVITIES CORPORATION - TERMINATION OF CONTRACT BETWEEN THE BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK AND THE STUDENT ACTIVITIES CORPORATION:
RESOLVED, That the Agreement between the Board of Higher Education of The City of New York, the predecessor body to the Board of Trustees of The City University of New York, on behalf of Queens College, and the Student Activities Corporation, at Queens College, be terminated, effective June 30, 1992; and be it further

RESOLVED, That the General Counsel and Vice Chancellor for Legal Affairs and the College President be authorized to take all necessary actions to effectuate the termination of the aforesaid Agreement.

EXPLANATION: This resolution will terminate the authority of the Student Activities Corporation at Queens College which pursuant to an Agreement approved by the Board on July 29, 1974 has been responsible for allocating student activity fees and administrative food and book store operations at Queens College. The governing board of the Student Activities Corporation consists of seven students and two faculty/administration members. The Board is exercising its authority under the Agreement to unilaterally terminate the Agreement as of the end of this fiscal year on June 30, 1992, by providing the required three months notice. Queens College will now be required to establish a college association and auxiliary enterprise board in conformance with Article XVI of the Board Bylaws.

Mr. Howard stated that although he is not opposed to the proposed bylaw changes he did have several questions. He wanted to know what would happen to the excess dollars that are in the various accounts with the changeover? He also wanted to know if the changes are made, what is going to be the continuity of the spending in these associations at the various institutions? Another concern he has is what happens if the president and the students never agree on portions of the budget and for whatever reason there is an expense relating to some student activities or whatever on campus and a
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budget is required and it is never agreed to or approved? He thought that if the Board is going to make changes there should also be a way to bring some conclusion if, for example, after six months there is no agreement between the students and the president on campus. He suggested that in the event of an impasse on an agreement on the budget the Chancellor should be made aware of the situation. He further suggested that the problem could be referred to the Chancellor's office or Vice Chancellor Rothschild or the president's office for a conclusion. He said his concern was that if there is no decision on reaching a conclusion, the Board will have to address the problem at a later date.

Chancellor Reynolds responded that this issue was a part of the negotiation that was changed as a result of the various hearings. Trustees Everett, Mouner, and Carrion were pivotal in these changes. The original part that was modified indicated that it would be possible for the college association body to amend the budget as it came forth. That was softened, actually in response to student concern, to make sure that the student budget committee would have to revise its proposal and bring it forth again. What the change basically means is that a budget committee of students on each campus will prepare a budget which will go to the college association governing board. If there are inappropriate items or items that perhaps are not as student responsive as they should be, the college association group can send the budget back to the group of students and indicate their concerns. If there is an impasse and one cannot achieve agreement between the college association and the students, those portions of the budget voted upon and approved by the college association board will be allocated. She stated that the Administration has had discussions about reaching a conclusion and they are hopeful that the presidents, who have been strongly supportive of these changes, will now have the negotiating ability to bring rapprochement between these two groups. She added that Trustee Howard had touched on a key point that if there cannot be ultimate agreement and the University has tried it for a year or so the Administration may have to recommend further changes to the procedure if it ends up in this inability to solve the negotiations on the campuses. Chancellor Reynolds added that the Administration might have to subsequently ask the Board for an amendment should any problems occur. She hoped that the Board could move ahead on the resolutions as presented here today because they have been very thoroughly considered by everybody.

Mrs. Everett concurred that the change was made in response to expressed student concerns. She said when the allegation is made that the Board doesn't listen to students, clearly they do because this was a very important change in the original proposal. In addition, she thought that Mr. LaMarre's allegations about Trustee attendance at hearings and meetings was entirely inappropriate. She reminded Mr. LaMarre that the February 17th public hearing which she chaired came to an untimely conclusion when someone, a student, let go a smoke bomb in this room and the room had to be cleared, so she thought that the Board should not be chastised by him.

Mrs. Everett added that negotiation, which is the way any two houses of congress settle an impasse, should be used to settle differences on budget allocations. She further added that earmarked funds are used right away and not subject to college association board approval.

Vice Chancellor Diaz advised that this change will take effect July 1st so the incoming student group will be on this budget committee and will have several months to work on this budget. This amended change was reflecting a desire to keep that decision-making at the local level and let there be a give and take and let the parties arrive at a decision. If, however, by late December or early January the Administration sees that it's not working, which is not anticipated but if it's not, at that point the Administration will have sufficient time to ask for an amendment which may require a finite resolution to this in some form. There'll still be plenty of time for whatever that resolution is to allow the allocating process to occur.

Mr. Cencl commented that he would hope all parties involved would work toward an equitable solution to this problem in terms of good will and understanding, and he thinks they will with good judgment. However, it seemed to him that if there is some kind of struggle and it involves a legal question he sees no reason why the involved parties can't get a legal opinion. If it involves a financial question of substance they can do that too, but he is loath at this time in short order to introduce any kind of a resolution that will set up a final supreme court. He thinks in terms of democracy he'd rather see it work out on the campus before the Board does something like that.

Mr. LaMarre stated he was glad Trustee Cencl raised the point. He agreed that democracy is an internal component of this University. He said it seems to him that Mr. Howard's perception of the students that attend this University is that they're children when these are grown up men and women who pay their money to attend this University. Mr. LaMarre thinks there has to be an understanding of the demographic makeup of this University and the age and sex of those who attend.
Mr. Howard responded that he was only trying to simplify things for those Trustees around the table that understand the process and he does know the demographics of this University.

Mr. LaMarre requested a roll call on the vote. A motion was made and seconded.

Trustees Badillo, Bernsteln, Bloom, Carrion, Cencl, Del Giudice, Everett, Fink, Howard, Jacobs, Mounar, and Pressley - Voted YES

Mr. Jean LaMarre - Voted NO.

At this point Mr. Del Guidice left the meeting.

**NO. 7. COMMITTEE ON PUBLIC AFFAIRS: RESOLVED,** that the following items be approved:

**A. RESOLUTION MARKING THE DEATH OF DR. MARGUERITE ROSS BARNETT:**

WHEREAS, Dr. Marguerite Ross Barnett, a creative administrator, prominent educator and scholar served The City University of New York from 1983 to 1986 as Vice Chancellor for Academic Affairs, demonstrating her commitment to access and academic excellence; and

WHEREAS, During her tenure she initiated, promoted and implemented the Pre-Freshman Summer Skills Program, leading to greater student retention by providing early exposure to the academic rigors of college life; and

WHEREAS, Dr. Barnett was instrumental in expanding the Adult Literacy Program to fourteen University campuses and in strengthening the GED program, enabling adult students to develop and enhance skills needed to achieve personal success and to provide the City of New York with an educated work force; and

WHEREAS, With the support of the Board of Trustees, Dr. Barnett invited the Feminist Press to begin its residence at The City University of New York, bringing to the University the leading academic publishing house in the field of women's studies and enhancing the University's Women's Studies program; and

WHEREAS, The City University of New York prepares the largest number of teachers for the public schools of New York City, Dr. Barnett established a Teacher Education Advisory Commission that helped provide the foundation for University-wide reforms to strengthen these programs; therefore

BE IT RESOLVED, That Dr. Marguerite Ross Barnett is remembered for her deep and abiding devotion to higher education, and in particular, to The City University of New York.

**B. RESOLUTION IN HONOR OF ASIAN AMERICAN HERITAGE MONTH:**

WHEREAS, The Board of Trustees of The City University of New York encourages the participation of the University community in due observance of April as Asian American Heritage Month; and

WHEREAS, The Asian American Higher Education Council continues to communicate to all students and New Yorkers through its Asian American Calendar of Events and first Journal, highlighting Asian Americans in higher education; and

WHEREAS, The Asian American Higher Education Council is co-sponsor of the Gold Mountain Seminar, providing an opportunity for discussion of issues of concern to Asian Americans and to inform the public of Asian art and theater through performances and workshops; therefore

BE IT RESOLVED, That The City University of New York continues to support the work of the Asian American Higher Education Council and celebrates the ongoing achievements of the Asian American community.
C. RESOLUTION OF SUPPORT FOR MAKING PELL GRANTS AN ENTITLEMENT PROGRAM:

WHEREAS, The Pell Grant program is the cornerstone of the federal commitment to provide access to postsecondary education for students who lack adequate personal or family resources; and

WHEREAS, Revisions to the Pell Grant program contained in both the House and Senate Higher Education Act reauthorization bills (H.R. 3553, S.1150) give meaning to this commitment by making it a guarantee; and

WHEREAS, Objections will be raised in regard to the creation of a new entitlement, and amendments will be introduced to eliminate the entitlement; and

WHEREAS, The entitlement has been crafted in S.1150 to take effect in FY 1997 to provide ample time to find a means of financing the cost, and the entitlement is not indexed to inflation; therefore

BE IT RESOLVED, That we urge all members of the New York Congressional Delegation to vote to defeat any amendments to eliminate the Pell Grant entitlement provisions; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the offices of all members of the New York delegation.

At this point Mr. Badillo left the meeting.

NO. 8. HONORARY DEGREES: RESOLVED, That the following honorary degrees, approved by the appropriate faculty body and recommended by the Chancellor, be presented at the commencement exercises as specified:

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<td>Chinua Achebe</td>
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Rev. Pressley stated that this action is far too important just to let it pass like this. He thought the members of the academic community should be thanked for bringing forth an outstanding and balanced group of persons to be honored by this University and he wanted to thank them. The Trustees concurred.

Dr. Jacobs suggested that there should be more microphones around the table. He was positive the people sitting at either end of the table could not hear any of the speakers.
ADDED ITEM

NO. 9. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following item be approved:

A. RESOLUTION REGARDING 1992 RETIREMENT INCENTIVE PROGRAM:

RESOLVED, That the Board of Trustees of The City University of New York urges the adoption of legislation authorizing the offering of a 1992 retirement incentive program for the senior colleges and the community colleges of the University.

EXPLANATION: In the light of the budget crisis facing the University for the 1992-93 fiscal year, a 1992 Retirement Incentive would enable the University to reduce personnel costs substantially while maintaining greater number of positions at the authorized expenditure level, avoid the major disruption that would be caused by sizeable retrenchment and layoffs, and preserve the affirmative action gains made during recent years.

In 1984, the senior colleges of The City University were authorized by State legislation to offer an early retirement option to certain senior college instructional and classified staff personnel. As a consequence, in January 1986, 744 University employees in the senior colleges retired. The program permitted the redistribution of resources within the University, expanded college flexibility, increased emphasis upon instructional activities in areas of high demand, enhanced the ability to advance significantly the University's affirmative action program, and produced operating budget savings of $16 million over five years. In 1990, the University was authorized by legislation to offer a Retirement Incentive Initiative, a key element of the Board of Trustees' 1990-94 Five Year Plan, to instructional and classified staff employees of both the senior and community colleges. This Initiative, which resulted in the September 1, 1991, retirement of 973 University employees, will produce comparable savings.

A 1992 Retirement Incentive Program, made available in the senior colleges and the community colleges effective September 1, 1992, would achieve significant savings while minimizing the dislocation among University employees and maintaining the maximum possible service levels. Based upon the University's experience with the 1984 Early Retirement Program and the 1991 Retirement Incentive Initiative, the University projects that more than 900 University employees will avail themselves of a 1992 Retirement Incentive.

At this point Mr. Badillo returned to the meeting.

Mr. Howard asked how many individuals does the University have in the category that would be affected by early retirement and was advised by Vice Chancellor Bloom Ira Bloom that there would be a group of several thousand people who would be eligible. Based upon the projections based on the University's experience in 1984 and 1990 there could be, in the senior colleges, close to 700 people who would take advantage of it.

Mr. Howard then asked how does the University keep individuals that do not want to retire. He would suspect out of the 2000 individuals or the 700 or 900 at the senior colleges the University is going to lose a lot of people that maybe it shouldn't be losing. What happens to individuals that are really doing a terrific job? He referred to a local ad on radio from the United Federation of Teachers which talks about the fact that during the fiscal crisis the best and the brightest teachers and Instructors move on from New York City, the Inner City, and as a result a whole generation of youngsters that come up through the system during that period of time is lost because they are improperly trained. He would hope that the Board knows it is passing this resolution very quickly. He would think that there are a whole lot of people that are required to keep the academic standards of all of the institutions sort of moving along because he sits in these meetings and continues to hear how the adjunct portion of each of the campuses is now up to 46% - 50 %. The University is getting very close to the dangerous point in terms of not having individuals on these campuses that not only have an academic relationship to the institution but also a social responsibility to all the individuals that want to come to these colleges for whatever reason. He hopes that through the Chancellor's office there is some sort of watchdog to make sure that whoever is left in place on those campuses, whether it be full tenured professors, adjunct professors, or whoever they are, that the standards are not lowered because there is a budget crisis. He thinks that the Board ought to look at some other ways to sort of take this crunch.

Chancellor Reynolds responded that the early retirement which occurred in the Fall of 1990 took about 900 people, about half of whom were faculty. Trustee Howard is right, some marvelous faculty and staff people choose to take early
Minutes of Proceedings, March 23, 1992

retirement. On the other hand as the Board knows the University is in an extraordinarily difficult fiscal time. When it does go ahead with an early retirement program there are individuals who are waiting for such a program and who do take retirement. The University is then able to, in critical areas, plan its budget much better and make sure that it has the faculty and staffing needs met in really critical parts of the University at lower cost so, on balance, it is beneficial to the University. The presidents at times then are able to negotiate with faculty members who perhaps have taken early retirement to teach a course or to teach on an alternate year basis to be helpful in critical areas. Sometimes that works sometimes it does not. But it is really necessary at this time in order to give the presidents the options they need to help the University keep moving during this very difficult time.

Chancellor Reynolds further stated that she thinks the University’s options such as laying off enormous numbers of faculty are not terribly good ones. If the University were to implement the Governor’s budget as it presently is tomorrow it would have to lay off around 900 people. When the University goes through the normal lay-off procedures it lays off recently hired people. That’s where the University’s youngest faculty are and that’s incidentally where its women and minorities and its diverse faculty are and where many of the president’s new program plans are. The Administration has been told that because of the early retirement incentive of actually two years ago the University now has many people waiting to see another early retirement incentive and those are the senior faculty. The University is very very heavy in the ranks of people in their 50’s and early 60’s and it is hopeful that many of those people who were contemplating retirement anyway perhaps in a year or two will choose to do so now so that the University can still continue to do very critical recruitments where it needs people for critical programs so it can continue its momentum on hiring minorities and women and so it can keep refreshing its faculty. The Administration views it as neither choice is good but when faced with the fiscal situation of the level the University is facing some very staunch trims have to be made. The University has not had a lot of replenishment and it does not have a young faculty at this point and so she thinks an early retirement program is a very appropriate way to go.

Mr. Cenci said that he has a feeling from what he has read and heard that not as many people are going to take early retirement as they might have three or four years ago when they had something else to go to. The something else have dried up. So a lot of people are going to think twice about leaving. However, the replenishment and all are very important aspects of it. It’s going to be interesting to see how many people take it.

Mr. Howard said that as a Trustee he doesn’t think that he would want to be a part of the destruction of City University as everyone knows it. He thinks that somehow those programs that have pushed this University in the direction of the future and must be saved, obviously through the Chancellor’s office will be saved. But at the same time he thinks that if the University has to bite the bullet and close some campuses and consolidate some campuses somebody ought to start thinking about it if the University has to take these kinds of cuts. But he hopes that the Administration doesn’t come back with another early retirement next year as a way to satisfy the budget.

Dr. Bernstein asked what the ratio of adjuncts to the total faculty throughout the colleges was and Chancellor Reynolds responded that at some of the community colleges it approaches 50% of the teaching hours that are being taught by adjuncts. She explained that in a good university setting the ideal number is about 25% in order to provide flexibility and around three-fourths of the faculty hopefully full-time. CUNY is nowhere near that anymore. It has heavy adjunct ranks at the community colleges because of really three years of fiscal difficulty and trying very very hard to meet the increased enrollment the campuses have faced each of the last three years as well. However, as she announced at the last meeting a group has been put together of distinguished professors, several presidents, and chaired by President Goldstein to think about where are areas the University should still preserve recruitment during this difficult time; where are programmatic changes and cutbacks that can be focused on; where are there parts of the University that once the fiscal situation is better, need to spring forth; where are areas that probably need some permanent trims. The Administration is trying hard to focus on this issue, and to bring this to Trustee Howard’s Committee and Trustee Bernstein’s Committee and march out as we continue the work of this Board.

Upon motions duly made, seconded and carried, the Board went into executive session to consider personnel matters. The public meeting was adjourned at 6:04 P.M.

SECRETARY GENEVIEVE MULLIN
MINUTES OF THE EXECUTIVE SESSION OF THE BOARD OF
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK
HELD
MARCH 23, 1992
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80TH STREET – BOROUGH OF MANHATTAN

In the absence of the Chairperson, the Vice Chairperson called the Executive Session to order at 6:10 P.M.

There were present:

Edith B. Everett, Vice Chairperson
Herman Badillo
Blanche Bernstein
Sylvia Bloom
Gladys Carrion
Louis C. Cenci

Jean C. LaMarre, ex officio

Stanley Fink
William R. Howard
Harold M. Jacobs
Susan Moore Mouner
Calvin O. Pressley

Robert A. Picken, ex officio

Secretary Genevieve Mullin
Robert E. Diaz, General Counsel and Vice Chancellor for Legal Affairs
Lillian W. Phillips, Executive Secretary
Chancellor W. Ann Reynolds
Deputy Chancellor Laurence F. Mucciolo

Chancellor W. Ann Reynolds
Deputy Chancellor Laurence F. Mucciolo
Vice Chancellor Ira Bloom
Vice Chancellor Jay Herahenson
Associate Dean Brenda Spatt

President Bernard W. Harleston

The absence of Mr. Murphy, Mr. Del Giudice, and Dr. Tam was excused.
boarding motion duly made, seconded, and carried, the following items were adopted:

NO. E1. THE CITY COLLEGE - APPOINTMENT WITH TENURE (AFFIRMATIVE ACTION REPORT ON FILE) (SW INDICATES WAIVER OF SEARCH):

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<td>Gordon</td>
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Mr. LaMarre abstained.

NO. E2. THE CITY COLLEGE - DESIGNATION OF DEPARTMENT CHAIRPERSON:

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<td>Edmund</td>
<td>$70,110</td>
<td>7/1/92 - 6/30/94</td>
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Mr. LaMarre abstained.

Upon motions duly made, seconded and carried, the Executive Session was adjourned at 6:44 P.M.

SECRETARY GENEVIEVE MULLIN