MINUTES OF THE MEETING OF THE BOARD OF
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK
HELD
MARCH 25, 1996
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80TH STREET - BOROUGH OF MANHATTAN

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

There were present:

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

Herman Badillo
Jerome S. Berg
Herbert Berman
Gladys Carrion
Michael J. Del Giudice

Stanley Fink
William R. Howard
Charles E. Inniss
Susan Moore Mounet
Thomas Tam

Sandi E. Cooper, ex officio

William Negron, ex officio

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

Chancellor W. Ann Reynolds
Deputy Chancellor Laurence F. Mucciolo
President Raymond C. Bowen
President David A. Caputo
Acting President Leo A. Corbie
President Ricardo R. Fernandez
President Leon M. Goldstein
President Matthew Goldstein
President Frances Degen Horowitz
President Edison O. Jackson
Acting President Marcia V. Keizs
President Vernon Lattin
President Gerald W. Lynch
President Charles E. Merideth

President Yolanda T. Moses
President Antonio Perez
President Isaura S. Santiago
President Kurt R. Schmelter
President Allen Lee Sessoms
President Marlene Springer
Vice Chancellor Richard Freeland
Vice Chancellor Jay Hershenson
Vice Chancellor Emma E. Macari
Vice Chancellor Brenda Richardson Malone
Vice Chancellor Elsa Nunez-Wormack
Vice Chancellor Richard F. Rothbard
Dean Stanford IR. Roman, Jr.
Dean Kristin Booth Glen
A. BARUCH COLLEGE - "WRESTLING WITH HISTORY" EXHIBITION BOOK AND CATALOG: A beautifully produced exhibition catalog, published in conjunction with the "Wrestling with History - A Celebration of African American Self-Taught Artists" exhibit, being held at Baruch College's Sidney Mishkin Gallery is included in your packet of materials. The collection is owned by Ronald and June Shelp, and was curated by Sandra Kraskin. This exhibit will run through April 19, 1996.

B. CUNY RECEIVED A 1.3 MILLION FEDERAL GRANT FOR CAMPUS SAFETY: CUNY received the second highest U. S. Department of Justice grant in the country under a program to help colleges and universities hire new public safety officers.

C. ANNOUNCEMENT OF UPCOMING BOROUGH HEARINGS: The Bronx Borough Hearing is scheduled for Wednesday, May 22, 1996 and will be held at the Bronx County Courthouse. The previously announced date of the Brooklyn Borough Hearing has been changed to Wednesday, April 24, 1996. We look forward to the interaction these Hearings provide with the communities and constituents of the CUNY colleges and I look forward to seeing everyone there.

D. DEATH OF DR. MARLENE SPRINGER'S FATHER: It is with deep sadness that I note the passing of Dr. Marlene Springer's father, and extend condolences on behalf of the Board and the University to her and her family.

E. COLLEGE HONORS: John Jay College received The Distinguished Service Award from the New York State Association of Black and Puerto Rican Legislators on February 17, 1996, for the cooperation and support which it has shown to these legislators over the years.

At this point Trustee Del Giudice joined the meeting.

F. FACULTY HONORS: a. University Dean Seymour P. Lachman was elected State Senator from Brooklyn's 22nd Senate District in a recent special election to fill the remainder of the term of Senator Martin Solomon. Dean Lachman received 80% of the votes cast. His first legislative session in Albany began on February 26, 1996

b. Dr. Sheldon Weinbaum, Distinguished Professor of Mechanical Engineering, at City College, was elected to the National Academy of Engineering. He is the only academic elected to the NAE in the field of bioengineering this year.

c. Barbara L. Hampton, Professor of Music, at Hunter College and the Graduate School, was recently appointed to the editorial board of the JVC Smithsonian Folkways Anthology of Music and Dance of the Americas.

d. Elizabeth Ann M. Barrett, Professor of Nursing and Coordinator of the Center for Nursing Research at Hunter College, received the 1995 Distinguished Nurse Research Award from the New York State Nurses Association Foundation.

G. ALUMNI HONORS: Larry Seabrook, former assemblyman and recently elected New York State Senator from the Bronx, is a distinguished alumnus of John Jay College.

H. CUNY BIG APPLE JOB FAIR: Chairman Murphy stated that Vice Chair Everett, who has been a spearhead for this, and the Chancellor, Presidents, and staff, are to be commended, because this is a very results-oriented activity. It has become a tradition that employers, as well as our students, look forward to. And it's something that reverberates for a good period of time after the event itself. It's very inspiring and a very good day for those young people who are involved.

Vice Chair Everett reported that needless to say, the eighth annual CUNY Big Apple Job Fair held on March 15, 1996 at the Jacob K. Javitz Convention Center, was one of the exciting occasions that I have an opportunity to attend that makes it clear what it is we're all about and why we're in business. AT&T, Dean Witter, Memorial Sloan...
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Kettering, and the Swiss Bancorp were among the record 92 prospective employers, of which two-thirds have participated before, at the fair. We had close to 5,000 seniors and recent graduates of CUNY at this event, and it was very impressive to see that mass of our young people dressed in business attire and ready for the work force. If you ever want a treat I earnestly urge you to come next year. There was a wonderful article by Clyde Haberman in the Times and also a nice photo of this massive gathering.

I would feel remiss if I did not mention the role that's played by the staff in all of this. At the outset, when we first started this, there was Professor Harriet Vines, who is no longer in the University, who was very helpful in getting this event off the ground. It now comes out of Mike Ribaudo's shop and Patricia Reilly coordinates it and that requires a great amount of time and effort and concern with detail. An event like this doesn't come off well unless every detail is taken care of. It was smooth as could be, and I just want to acknowledge the important work that is done by our staff.

Trustee Mouner concurred that it was very encouraging to see so many students and prospective employers. The line of students stretched around the corner. We look forward to this being an annual success, just as it has been in the past.

I. GRANTS: Chairman Murphy presented for inclusion in the record the following report of grants of $100,000 or above received by the University since the last Board meeting.

THE CITY COLLEGE

a. $400,099 HOWARD UNIV/NSF to Liaw, B., Mech. Engineering for "Engineering Coalition of Schools for Excellence and Leadership (ECSEL)."

b. $326,565 DASNY to Gebert, G., Architecture, for "University-wide Computer Aided Design Database-Phase III."

c. $250,000 CCB to Roman, S., Med. School Admin., for "CUNY Medical School Administrative Support."

d. $200,000 NSF/HRD to Parker, N., Transportation for "Research Careers for Minority Scholars Program at The City College."

e. $150,132 NYS ED DEPT to Patterson, Q., Elem. Education for "Skills & Language Development Program."

f. $122,042 NYC BD OF ED to Posamentier, A., Education Admin., for "Real World Mathematics Summer Institute."

g. $110,250 DOE to Sivashinsky, G., Levich Institute for "Studies in Physico Hydrodynamics of extended systems."

h. $110,000 NYS ED DEPT to Rogers, W., Administration for "Liberty Partnership Program."

i. $104,855 ROCKWELL INT’L CORP to Tamargo, M., Chemistry for "Vapor Phase Epitaxy of Mercury Cadmium Telluride."

j. $100,000 AFOSR to Alfano, R., Physics for "Optical Amplification and Non Linear Optical Processes in Random Scattering Media."
HUNTER COLLEGE

a. $1,324,898  PHS/NIH/DIVISION OF RESEARCH RESOURCES to Caputo, D., and Fleissner, E., Division of Sciences & Mathematics for "Research Center in Minority Institutions: Center for Gene Structure and Function/AIDS Infrastructure Grant."

b. $428,474  US ED DEPT to Vazquez, J., Dept. of Curriculum and Teaching for "New York Multifunctional Resource Center."

c. $164,154  PHS/NIH/NAT'L INST OF NEUROLOGICAL DISORDERS & STROKE to Filbin, M., Dept. of Biological Sciences for "Adhesion of Myelin Po-Protein."

d. $156,841  PHS/NIH/NATIONAL EYE INSTITUTE to Chappell, R., Dept. of Biological Sciences for "Neural Interactions of the Retina."

e. $133,407  HOWARD HUGHES MEDICAL INST to Raps, S., Dept. of Biological Sciences for "Undergraduate Biological Science Program."

f. $110,000  NYS ED DEPT to Gamble, M., Dept. of Curriculum and Teaching to "Teacher Opportunity Corps."

g. $108,299  US ED DEPT to Silberman, R., Dept. of Special Education for "Competency-based Teacher Prep Program for Learners with Severe/Multiple Disabilities Including Deaf-Blindness."

h. $107,638  US DEPT OF ED/NYC BD OF ED to Niman, J. and Pema, J., Dept. of Curriculum and Teaching for "Urban and Rural Local Reform Initiative Grant."

i. $107,000  NY COMM. TRUST to Gioiella, E., Nursing for "Hunter-Bellevue Nursing Fund."

j. $105,728  US ED DEPT to O'Neill, J. and Buxbaum, J., Dept. of Educational Foundations & Counseling Programs for "Long Term Training Rehabilitation Counseling."

k. $100,000  AMERICAN CANCER SOCIETY to Bargonetti, J., Department of Biological Sciences for "In Vivo Occupancy of p53 Binding Sites during Cell-Cycle."

JOHN JAY COLLEGE OF CRIMINAL JUSTICE

a. $202,315  US DEPT OF ED to Domingo, J., African American Studies Dept., for "Ronald McNair Post-Baccalaureate Achievement Program."

b. $104,000  NATIONAL INST ON DRUG ABUSE to Natarajan, M., Sociology Dept., for "Understanding Upper Level Drug Dealing in New York City."

YORK COLLEGE

a. $239,088  US DEPT OF ED to Brown, R. and Bernardin, J., Adult and Continuing Education for "Talent Search."

b. $196,562  NYC OFFICE OF THE MAYOR to Tomas, R. and Williams, M., Adult & Continuing Education for "Adult Literacy Initiative."

c. $195,368  NASA to Schlein, J., Natural Sciences for "Minority Science & Technology Awards for Teacher & Curriculum Enhancements/MASTAP."
QUEENSBOROUGH COMMUNITY COLLEGE

a. $245,000 NYS ED DEPT to Keizs, M. and Stanley, L., for "Liberty Partnership Program."

b. $114,768 NYS ED DEPT to Pescow, A., for "EDGE T."

LAGUARDIA COMMUNITY COLLEGE

a. $271,405 NYS ED DEPT to Miller, S., Continuing Ed. Division for "AEA/Section 321 Literacy Funding."

b. $199,456 US DEPT OF ED to Miller, S., Continuing Ed. Division for "Safeguardian of Life Program."

THE GRADUATE SCHOOL & UNIV. CENTER

a. $499,599 WILLIAM T. GRAND FOUNDATION to Hecht, D., for "The Effects of Participating in the Helper Model of Service Learning."

b. $274,545 SPENCER FOUNDATION to Fine, M., for "Sites of Possibility in Urban America - A Proposal to Extend Reconciling Voices of Hope and Despair."

c. $223,596 BRONX-LEBANON HOSP to Spiegel, S., for "NY State Health Professional Transition Initiative."

d. $175,035 RUSSELL SAGE FOUNDATION to Mallenkopf, J., Kasinitz, P., and Waters, M., for "The Immigrant Second Generation in Metropolitan New York."

e. $174,787 NAT'L INSTITUTE OF JUSTICE to Mollenkopf, J. and Goldsmith, V., for "Identify and Evaluate Methods for Measuring and Analyzing Crime Patterns and Trends with GIS."

f. $150,000 NY MET TRANS COUNCIL to Morris, A., for "Urban Goods Movement Study."

g. $100,000 NYS DEVELOPMENTAL DISABILITIES COUNCIL to Kerzner-Lipsky, D., for "Evaluating Local Systems Change Efforts."

J. ORAL REPORT OF THE CHANCELLOR: Chancellor Reynolds reported the following:

1. State budget discussions in Albany are at the leadership level, focusing on three options: a) continued efforts to reach agreement by April 1st, which seems unlikely; b) a three month budget being promoted by Speaker Sheldon Silver; and c) a shorter than three month budget whose major proponent is Senator Joseph Bruno.

2. Federal budget developments remain a major factor. It is simply impossible for the State and City to decide their budgets, without the Federal budget being resolved. The City budget is supposed to be released on April 26, but it will most probably be delayed due to the Federal and State budget inaction.

The good news is that the President's budget does include an increase in Pell grants from the current $2,340 to $2,700. However, once that was recommended, the Governor's revised budget recommended a further cut to TAP. So there will be no net benefit to CUNY students.

The budget proposed for the U.S. Department of Education is a 4.4% increase over 1995 but they do plan to eliminate several key programs to increase the Pell grants that affect us. These include funding for State student incentive grants, law school clinical experience, minority student fellowship and urban community service.
3. The Governor and legislative leaders have appointed a Revenue Conference Committee comprised of Chairman Denny Farrell of Ways and Means, Chairman Ronald Stafford of Senate Finance, Director of Budget Patricia Woodworth, Senator Emanuel Gold, and Assemblyman John Faso, to achieve agreement on what legislative revenues are. As we approach the April 15 tax deadline, that issue will of course, become clear as well. Revenues are running ahead of estimates which is one small piece of good news, but the Federal government message is not good news. The Committee meets tomorrow and will hear testimony on revenue, estimates, and projections for 1996-97.

4. In the New York Times today there is mention of my joint letter with Chancellor Thomas Bartlett of SUNY. He and I co-signed a letter pleading with our legislative leaders for an early resolution on TAP restorations. We are now getting into the time of year where we would begin admitting students for next fall, and they desperately need to know how much financial aid is available to them. This is true for both CUNY and SUNY so that it is very, very important to push on.

5. I cannot say enough good things about the Presidents, about faculty, about student leadership; Trustees Cooper and Negron have been very, very active in University-wide advocacy activities. This month we held the last two of the five Borough Forums for student leaders on the budget situation. A task force including Trustee Negron, Vice Chancellors Nunez, Hershenson and Rothbard, has been to each borough, meeting with student leaders, so that they are very clear about the budget, and can advocate for the University as well. We are on a very active letter writing campaign, as well as visits to legislators offices in their home districts and in Albany. We are getting good support from civic, business, labor and educational leaders. We have a very active voter registration drive going on. Everything is in full swing.

Two of our major initiatives are underway. We are getting into the final stages of production of a public service announcement campaign featuring famous alumni, such as General Colin Powell, opera star Regina Resnick, Judge Edwin Torres, Pulitzer prize winner Oscar Hijuelos, and actor Eli Wallach, to name just a few. With the help of the University community, we have a new poster on CUNY Family Values, featuring individual students and their families seeking higher education opportunities.

On March 12, a lot of us testified before the City Council Education Committee. Copies of this testimony have been sent to the Board of Trustees. The City Council members were extraordinarily supportive of CUNY and its initiatives.

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 through 8)

The Board considered calendar items in the following order:

ADDED ITEM

CAL. NO 8. DECLARATION OF FINANCIAL EXIGENCY AT THE SENIOR COLLEGES AND EXPRESSION OF SUPPORT FOR PARTICIPATION IN RETIREMENT INCENTIVE PROGRAMS: RESOLVED, That the Board of Trustees of The City University of New York hereby declares that a state of financial exigency exists for the senior colleges, including the CUNY School of Law and the Central Office, for the 1996-97 fiscal year; and be it further

RESOLVED, That in accordance with the declaration of financial exigency, implementation of The Guidelines and Procedures for Discontinuance of Instructional Staff Personnel Mandated by Financial Exigency, as approved at the time of implementation, is hereby authorized at these units; and be it further

RESOLVED, That the Board of Trustees of The City University of New York expresses its support for participation in such retirement incentive programs as may be adopted by the State for faculty and staff in the senior and community colleges.
EXPLANATION: For fiscal year 1996-97, the State has proposed a net operating budget for the senior colleges of $883.9 million, which represents a reduction of $57.6 million in State aid. The proposed budget excludes funding of mandatory needs of $27.6 million and includes new initiatives totaling $11.1 million. The difference between CUNY requirements for maintaining current service levels and the budget recommendation is, therefore, $96.3 million. These reductions will be partially offset by savings from various management actions of the University and the colleges.

As in past years, faculty and staff participation in a retirement incentive program will reduce the number of involuntary separations due to budgetary exigencies and help preserve recent gains in affirmative action.

It is understood that, should financial circumstances improve sufficiently, the Chancellor will advise the senior colleges that retrenchment planning is no longer necessary.

Chancellor Reynolds indicated that the process and methodology being followed is exactly like that of last June 26th when some 37 different items came in front of the Board of Trustees that had come out of recommendations from individual Board members, lots of conferences with Presidents, and a whole variety of other sources. Those items came in to the Trustees' Committee on Long Range Planning to which all Trustees were invited to attend and participate. We have moved very seriously on the academic program planning issue that the Board initiated to help us focus our resources better on programs that are needed. The changes in the University at that time were very far reaching, very important, and quite cataclysmic and we still are constantly asked about the changes in remediation, the SEEK program, and all kinds of academic program planning. The fiscal situation for the senior colleges has continued unchanged basically except for getting worse, and the Governor has recommended a much deeper cut than last year. Under CUNY's guidelines Vice Chancellor Rothbard communicated to all the Presidents the level of approximate cuts their campuses would endure if there were no significant budget restorations. The responses Vice Chancellor Rothbard received from the Presidents is what initiated me to bring this recommendation to the Board of Trustees. This will give the college campuses the time over the spring to plan with their appropriate groups, including faculty and students, at various contingency levels. I want to stress that the administration does not centrally determine what the campuses would do and I recommend that the Board not do so either, as the campuses have to determine on their own, using their budget numbers and their own best wisdom, how to pursue the budget allocation coming to them. We are in a very, very difficult long range budget situation. There is no doubt that we are in fiscal exigency so I ask the Trustees that they vote as they did last year for a declaration of fiscal exigency because we have to have that to begin the planning process at the senior colleges. I will be seeking input from all Trustees, Presidents, the community, and everybody else, which will be fashioned into, once again, a series of recommendations to come before the Board of Trustees, probably through the Long Range Planning Committee.

Statement of Trustee Howard regarding the declaration of fiscal exigency.

Over the last two or three years, some Trustees have recommended that we cut deeper and start looking at alternative ways, but that has not happened. CUNY has continued to depend on the tax levy dollars and, as a result, the institution as a whole is being split apart. At some point, the Board might have to step forward and make some recommendations to the Chancellor to cut deeper, because it is ultimately going to be responsible for the deficit, and thus should be able to approve the process. The Trustees, through the committee system, should have the right to review and approve anything that the presidents and the Chancellor recommend as it relates to the exigency problem. It is my hope that any changes which are going to be implemented in the senior or community colleges would come back to the respective committees or to the Long Range Planning Committee of this Board so that the Board can review and approve any changes for 1996 relating to this budget, or to any changes that the presidents recommend, before they are implemented. I think if the Trustees don't decide to take an overall look at this institution as it relates to the budget issue now, it will not be proud of what is left of this University in five or ten years.

Statement of Trustee Berman regarding the declaration of fiscal exigency:

The concern of some of the Trustees is that because of the severity of the problem and the impact of what may have to be done or what may be determined, that this has transcended an administrative process and it's now a policy matter. I and some of the members feel that the Board is entitled to take a look at this before these measures are
implemented. The Board has a right to approve the budget, but I for one don't like to be confronted by a statement that we have approved the budget, we have approved the process, and therefore, in the area of policy, in the area of severe impact and changes, that we do not have the right to take another look at it.

Statement of Vice Chair Everett regarding the declaration of fiscal exigency:

It is in no one's interest to see this terrible thing happen, and the Board is acutely aware of how demoralized the faculty and staff are. By putting this resolution forth as an early warning, should this come to pass, everyone will be prepared for it. I do not believe the Board can or should micromanage what happens on the campuses. There are structures in place that look at the changes that are happening in the academic areas of the University, and as that planning takes place those plans will be coming forward for review. We know what the budget number is, the question is how do we get to that number.

Statement of Trustee Del Giudice regarding the declaration of fiscal exigency:

The Board ought to look at, objectively, where the University goes and how it deals with CUNY's overall fiscal problems. The tax cut taking effect at the State level next year is going to have almost twice the impact of this year. At the federal level, everybody is downsizing. So I think the thought among the Trustees, and in the University itself, has got to be a much more intense, long range planning about our fiscal situation given these latest developments. The Legislature and the Governor have not agreed on the budget. This is going to be a long fight, but I think the sooner that people are aware of it, the more realistic they can become about what's going to happen. It's not going to be pretty under any circumstances and I think, dealing with the fundamentals, we should focus on this fiscal exigency, get it out of the way, and then focus on the long range problems in the long run. We should set some timetables and an agenda and come up with a real program for the University which works. This is a high point for the next two years. It's going to get worse after this.

Statement of Trustee Carrion regarding the declaration of fiscal exigency:

I concur with Trustee Del Giudice that if we are going to be looking more at systemic changes in the University we can't do it in the context of just one committee. We need to do it in a planning process. To change the process now in place would undermine the discretion of the Presidents to function. The colleges should not be micromanaged. The process that's in place now works, and the Chancellor's judgment does not currently prevail in the process. The Presidents all work very hard in a collegiate process on their campuses to develop these retrenchment plans, so it is not the Presidents that get to decide, but it is the committees on the campus level that make retrenchment recommendations. I urge the Board to continue the process that is currently in place.

Statement of Trustee Fink regarding the declaration of fiscal exigency:

I have no problem with the concept of financial exigency. I think it's appropriate, it's correct, and the sooner we get working on it, the better chance we have to impact the outcome. I'm not in favor, if after we have gone through this entire process, that these issues, come back to the Committee on Long Range Planning. If they are financial and budgetary issues, then I recommend and I submit that they come back to the Budget and Fiscal Affairs Committee. If they are long range planning that have to do with curriculum, I recommend that they go back to the Academic Policy Committee. One of the things that I object to is that the Committee on Long Range Planning is becoming the catch-all committee each year for all the tough things we have to do. If that's going to be the case let's scrap the committees and let's have one committee and so be it. Not all the Trustees are voting members, so the fact that Trustees are invited to participate, but not to vote, makes it without benefit to attend a Long Range Planning Committee meeting that you are invited to if you don't have the right to participate with your vote, either aye or nay. I just want to make it very clear that I will in the future object if we once again use the Long Range Planning Committee as the definitive committee of this Board, thereby rendering the other standing committees, as far as I am concerned, to be unnecessary.
Statement of Trustee Tam regarding the declaration of fiscal exigency:

I join my voice to those of my colleagues in supporting this resolution. I think though, that it is not purely a budgetary issue. The issues that are also involved are academic excellence and academic access. I welcome the comments about the need for the Board to look into long-term planning for the whole University. I think it's very necessary to look at the whole structure and see where we want to be in the year 2000.

Statement of Trustee Negron regarding the declaration of fiscal exigency:

Members of the Board, this is the most difficult decision that I have been asked to make since being elected to represent the students at this University as a voting member of this Board. I therefore ask for your indulgence at this time to explain my position and to address you and the other members of our University community.

As the only student voice on this Board, it's important that I reflect, as much as possible, the views of my constituents, and there is no way that I can imagine our students wanting me to vote in favor of this resolution; and I will not do so. Having said that, I also believe that it is important for me to be a credible voice on this Board. My fellow Trustees must know implicitly that I am not just a nay-sayer, only looking to distance myself from difficult and unpopular decisions, but someone who thinks about these issues carefully, thoughtfully, and investigates all perspectives. In return, I ask that the other members of the Board treat me and proposals advanced by the students with respect and without bias.

I want to thank Chancellor Reynolds both for her public commitment to oppose any tuition hike, and for her persistence and determination in advocating for the University in Albany and at City Hall. I am not at all ashamed of giving credit where credit is due. Having said that, however, I expect you to keep your commitment and not advocate for an increase in tuition. I also ask that you insist that the colleges allow for widespread, not limited, student participation in all budget-related discussions. I also believe that an effort should be made not to spring resolutions like this one on the Board without conducting a public hearing.

To our college presidents, I believe that I will be hardest on you because this Board has given you great latitude in making decisions for your respective campuses. I believe that it has been the policy of this University that you consult with the elected student leadership at your campus while formulating your respective budgets. By the next meeting, I will have had reports from all of our student governments and I expect to be told that these meetings have taken place. The meetings should occur prior to the next budget cycle as well.

Moreover, let me be crystal clear; fiscal exigency is not a code term for denying access. There should be absolutely no repeat of what happened last spring when some campuses decided to use fiscal exigency as an excuse to take resources away from child care and/or services for students with disabilities. If there is even the slightest hint that either of these two essential services are affected in any way, you will have picked a fight with the University Student Senate. If you don't believe that that is a serious threat, then try me. USS will be uncompromising in its effort to maintain access to this University. These two programs are absolute necessities in safeguarding access for thousands of students.

To the faculty, let there be no misunderstanding, both USS and I will not abandon our collective struggle for any reason. We must continue to fight in Albany and convince our state legislators to make the necessary restorations so that this action is nothing more than a fire drill. I realize that Governor Pataki’s budget has certainly lit a fuse, so there is much with which to be concerned. I am sensitive to the fact that many of your livelihoods hang in the balance, as does quality education at this University. We need to work together. There needs to be trust, but no one should be taken for granted. Our relationship requires work. Sometimes our students believe that they are taken for granted, they shouldn’t, and you shouldn't provide them with cause.

We must continue to focus our energies on the budget battle in Albany, and not each other, at least not yet. I hope that our students, my constituents, have enough trust in their elected leadership to know that we will do everything in
our power to protect their interests. In an age of instant analysis, sometimes it is difficult to explain decisions that are intended for the long-term. This may be one of those times.

I commit to actively opposing the implementation of any policy that would jeopardize our mission to provide access to affordable higher education for hundreds of thousands of New Yorkers.

Statement of Trustee Cooper regarding the declaration of fiscal exigency:

Last year, when this event arose, there was a chance for the involved community of students, faculty, and campus people to testify about the issue at a public hearing because it occurred in the early part of the semester and it went through a committee. According to the retrenchment guidelines faculty are supposed to have ample notification. On this occasion that's obviously obviated.

The faculty with whom I've been able to consult, have pleaded with me to plead with you, to delay acting on the exigency motion this month and, if it's still necessary, to hold a special meeting next month, and instead to use the next few weeks to try and get a continuing budget resolution passed. I cannot tell you how demoralizing this will be to my remaining colleagues, because the level of depression amongst the people who have devoted their lives to this institution is indescribable at this point, and this won't help. It really will not look like a vote of support for all the efforts we have put in. It is not easy to go to Albany to lobby for funds when you teach a full load and have to get your classes covered or have to race back and forth on the highway to get back to your classes. Not to be able to testify does not seem to be an act of good faith.

As an historian, I like the record to remain faithful as to what happened last year. A major restructuring of University policy occurred when at the meeting of the Long Range Planning Committee on June 8, 1995, as well as at the Board Meeting of June 26, 1995; 37 resolutions were presented and voted through. These were not proposals that had ever been vetted before that, and if that is the procedure that the Long Range Planning Committee and other committees in the future will continue, and is accepted here as a procedure that involves full planning and participation, I really have to disagree that that's going to carry. Last year, one public hearing was held on the 37 resolutions that went on all night long, and absolutely no changes were made based on any of the testimony. It's for that reason that folks have a very suspicious feeling and view about this whole set of procedures.

Statement of Chairman Murphy regarding the declaration of fiscal exigency:

The whole idea of going into exigency was to get the process working at the campuses involving students, faculty, administrators, and anyone else appropriate to the activity; to review what the issues and their problems are and how they could respond to a worst case or a less than worst case budget final result. The consultative process that would take place between and among the Chancellor, having received those reports and the various Board committees will, I believe, engender the Board opportunity, if there's an egregious issue that has to be dealt with, to be responsive. The concern is that if the Board introduces an ambiguity into what these retrenchment and exigency and related guidelines are at this point, it will not get a product that has integrity and is really responsible to what may be the most appropriate way to deal with the situation. However, when the campuses come back to the Board on a consultative basis and the Board recognizes an issue that requires some action, then the Long Range Planning Committee in cooperation with the Board committees, as was done last year, may have to get involved if there are new initiatives over and above the 37 items that the Board adopted last year. We've got to have a process, and at the end of the process, we'll do what we want, but we're mandating that there be consultation at the end of the process before final determination. All of the committees of the Board have to be proactively involved in looking at the implications of the fiscal realities both with respect to this year and in the near and long term. I urge that each of the committees effectively become a long range planner with respect to their areas of jurisdiction and that this be done early and aggressively, to the extent that any kind of articulation among the committees with respect to the results of those committees may be necessary. If there is a role for long range planning, which I think there probably will be, then at that point, whatever the long range planning might do to create that cohesiveness and articulation...
would have been informed and driven and directed by the activities of the various standing Board committees. If this is a process that would be agreeable to you and to the rest of the Trustees without even taking formal action, let the minutes of this meeting so indicate that the Board would endeavor using the total committee structure, beginning from this instant, to be as inclusive as possible.

Trustee William Negron abstained; Trustee William Howard voted NO.

**NO. 1. UNIVERSITY REPORT: RESOLVED,** That the University Report for March 25, 1996 (including Addendum Items) be approved, as amended as follows with the exception of Part C: Fiscal Matters, Section CI: Contracts from $50,000 to $99,999 (other than Capital Budget), 1.1: Purchase of Campus Public Safety Training. Item tabled:

(a) **ADDENDUM:** Add the following:

D17 HUNTER COLLEGE - REAPPOINTMENT OF UNIVERSITY PROFESSOR:

RESOLVED, That Dr. Saul Cohen be reappointed University Professor of Geology at Hunter College for the period 9/1/95-8/31/96 at the applicable level, subject to financial ability.

**EXPLANATION:** Dr. Saul Cohen served as President of Queens College from 1978 to 1985. Dr. Cohen was appointed at Hunter College, effective September 1, 1986. The Board of Trustees approved his appointment as University Professor for the period January 1, 1988 to August 31, 1995. The Board also approved Dr. Cohen's fellowship leave during the Spring 1995 and Fall 1995 semesters. This action provides a final reappointment in the title prior to Dr. Cohen's Travia leave beginning in Fall, 1996.

D18 BOROUGH OF MANHATTAN COMMUNITY COLLEGE - REPLACEMENT OF LIBRARY/LEARNING RESOURCE CENTER FLOOR COVERING:

RESOLVED, That the Board of Trustees of The City University of New York authorize Borough of Manhattan Community College to purchase carpeting from Brockport Carpet Center, under existing State of New York Contract Number P007133, pursuant to law and University regulations. Such purchase shall not exceed a total estimated cost of $85,000 chargeable to FAS Code 222001200, during the fiscal year ending June 30, 1996.

**EXPLANATION:** The campus at 199 Chambers Street opened in Spring 1983 with a projected maximum enrollment of 10,000 headcount students. Since then, enrollment at the college has eclipsed 16,000 students. As a result, the facility's infrastructure has been greatly taxed. The Library and Learning Resource Center have borne a particular burden in that they serve as multi-use facilities for teaching, tutoring, mediated learning and as the college's only quiet study space, in addition to being the college's only library facility.

The existing carpeting has become threadbare and worn and numerous tripping hazards now exist. In addition, its sound-deadening abilities have deteriorated, and the noise level detracts from the usefulness of the college's most important non-classroom learning environment. The college wishes to use funds that have recently been released from its revenue reserve to alleviate this impediment to the safety and optimization of the learning environment.

(b) **ADDENDUM:** Revise the following:

D14 KINGSBOROUGH COMMUNITY COLLEGE - PURCHASE OF COMPUTER EQUIPMENT: The entry is withdrawn.

(c) **ERRATA:** Add the following:

BOROUGH OF MANHATTAN COMMUNITY COLLEGE:
P A-1 SECTION AI.15.1 SPECIAL MATTERS: The entry is withdrawn.
P A-1 SECTION AI.15.2 SPECIAL MATTERS: The entry is withdrawn.
HOSTOS COMMUNITY COLLEGE:
Pp. B 1&2 APPOINTMENT OF HEO SERIES PERSONNEL WITH NO PRIOR SERVICE (AFFIRMATIVE ACTION REPORT ON FILE EXCEPT ACTING AND SUBSTITUTE APPOINTMENTS) (SW INDICATES WAIVER OF SEARCH): The functional title for the appointment of Sara Morales is revised to read Case Manager/Case Development. The payroll title for the appointment of Fatiha Makloufi is revised to read Substitute HE Assistant.

(d) 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 March 25, 1996 (including Addendum Items) be approved, as amended as follows:

(a) ADDENDUM: Add the following:

D9 YORK COLLEGE - CONTRACT FOR LOADING DOCK MODIFICATIONS (ACADEMIC CORE BUILDING)

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 York College for construction of a loading dock modification in the Academic Core Building. 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 contract shall not exceed a total estimated cost of $30,000, chargeable to City Capital Budget, Project No. YC11.993. The contract shall be subject to approval as to form by the University Office of General Counsel; and be it further

RESOLVED, That the Director of the New York City Office of Management and Budget be requested to approve the funding necessary to award this contract.

EXPLANATION: The loading dock in the Academic Core Building receives all deliveries for the York College campus and is the point from which all packages are shipped. The dock is undersized for the volume of activity experienced on a daily basis. The proposed extension of the loading dock to the building exterior will enable Buildings and Grounds to receive safely and efficiently and to ship deliveries, and will prevent damage to the building exterior. It will also provide enough depth on the platform to meet the OSHA recommended turning radius.

(b) ERRATA: Add the following:

THE CITY COLLEGE
P A-1 SECTION ALL 2.1: NEW COURSES - DIVISION OF HUMANITIES: PROGRAM TITLE: ROMANCE LANGUAGES: The Program Title is revised to read DEPARTMENT OF FOREIGN LANGUAGES AND LITERATURE.

P A-2 SECTION ALL 2.2: NEW COURSES - SCHOOL OF EDUCATION: PROGRAM TITLE: DEPARTMENT OF SCHOOL SERVICES (EDSS) The Program Title is revised to read DEPARTMENT OF EDUCATION.

(c) 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 January 29, 1996 (held on February 5, 1996) be approved.
NO. 4. COMMITTEE ON FISCAL AFFAIRS, FACILITIES AND CONTRACT REVIEW: RESOLVED, That the following items be approved:

A. QUEENS COLLEGE - RENOVATION OF POWDERMAKER HALL:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to approve the selection of the firm of Mitchell/Giurgola Architects to prepare programs, plans, specifications and cost estimates for the renovation of Powdermaker Hall at Queens College, CUNY Project No. QC053-794; and be it further

RESOLVED, That the City University Construction Fund be requested to authorize the Dormitory Authority of the State of New York to enter into a contract for the design of the aforesaid construction project.

EXPLANATION: Powdermaker Hall, which contains 40% of the College's classrooms, was built in 1962 and has not undergone any major upgrades since its construction. It contains offices and dry laboratories as well as classrooms. It is the only major building on campus without air conditioning, and it is fully utilized during the summer. Plumbing, heating, and electrical systems have deteriorated and need upgrade or replacement. New electrical and data wire distribution is needed to permit extensive computer use in the building. The building is not accessible to the disabled - it needs entry ramps and toilet room modifications. Non-code-compliant doors and partitions must be replaced, and a new roof is needed. The building's exterior envelope needs to meet energy codes and to be insulated against disruptive noise from nearby LaGuardia Airport.

The proposed firm was selected in accordance with law and University regulations.

B. LEHMAN COLLEGE - ROOFING REPLACEMENT PROJECT: GILLET, DAVIS, AND SHUSTER HALLS, AND T-3 BUILDING:

RESOLVED, That the Board of Trustees of The City University of New York amend the resolution adopted at the meeting of September 30, 1992 (Cal. No. 4.A.) for the design and supervision of construction for various roof rehabilitation projects at Lehman College to authorize an increase in the estimated cost from $91,000 to a new cost of $350,000 chargeable to CUNY Project Nos. LMO11-090 and LMO13-090.

EXPLANATION: The original contract provided for the survey of five Lehman campus buildings and the preparation of construction contract documents for two of those roofs (Bookstore and Reservoir Buildings). Permission is hereby requested to amend the consultant contract to include the preparation of contract documents for reroofing the three remaining buildings and the necessary supervision during construction. All of these roofs have continued to deteriorate and now require expedited attention. Amending the existing consultant contract is the most expedient and economical way to address this situation.

C. BRONX COMMUNITY COLLEGE - VARIOUS ALTERATION AND RESTORATION PROJECTS:

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 Bronx Community College for alteration and restoration of various buildings at the Bronx Community College, CUNY No. CU109-093. 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 contract shall not exceed a total estimated cost of $1,536,400 chargeable to City Capital Budget, Project No. HNC002 and X002. The contract shall be subject to approval as to form by the University Office of General Counsel; and be it further

RESOLVED, That the Director of the City Office of Management and Budget be requested to approve the funding necessary to award this contract.

EXPLANATION: A single construction project will combine various separately funded projects, designed under one consultant contract, which are required to restore and prevent further deterioration of landmark buildings and to
improve the usefulness of other structures as noted. The separate projects that make up the current proposed contract are:

**BX010-090**
Hall of Fame Theater, general restoration; construction costs not to exceed: $56,100.

**BX013-091**
Air-conditioning in Colston Hall; construction costs not to exceed: $165,100.

**BX017-093**

**BX018-093**
Air conditioning of The Hall of Fame Theater; construction costs not to exceed: $173,800.

**BX019-093**
Renovation and restoration of the interior of The Gould Memorial Library Auditorium; construction costs not to exceed: $927,900.

**CU109-093** - Total Construction costs not to exceed: $1,536,400.

The design consultant for this project was approved by The City University of New York Board of Trustees on May 31, 1994, Calendar No. 5.A.

**D. KINGSBOROUGH COMMUNITY COLLEGE - SCOPE DEVELOPMENT:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract with the firm of Davis Brody/Gruzen Samton for architectural and engineering services for scope development based on the August 1994 Master Plan Amendment for Kingsborough Community College, CUNY Project Number KG109-996. The estimated cost shall not exceed $600,000 chargeable to Capital Project No. HN-C005. The contract shall be subject to approval as to form by the University Office of General Counsel, and be it further

RESOLVED, that the Director of the New York City Office of Management and Budget be requested to approve the funding necessary to award this contract.

**EXPLANATION:** A Master Plan Amendment was prepared in 1994 and adopted by the CUNY Board of Trustees on November 28, 1994, Calendar No. 4A. The new plan authorizes a total of 934,934 NASF for the campus, of which 571,260 NASF is existing permanent space to be retained, following the planned removal of 111,477 NASF of temporary buildings, and 363,574 NASF of new construction in six new buildings. The plan will support the approved enrollment increase from 8,974 FTE’s (base year 1993-94) to a projected 12,477 FTE’s in the year 2003-04, an increase of 39%. The goal of this project is to develop the gross master-planned facility so as to provide a program and early schematic designs for each building. The coordination of phased construction and demolition of temporary buildings will be planned as part of this project.

The proposed firm was selected in accordance with law and University regulations.

**E. LEHMAN COLLEGE - PURCHASE OF UTILITY VEHICLES:**

RESOLVED, That the Board of Trustees of The City University of New York authorize Lehman College to purchase two (2) Chevrolet K3500 regular chassis with dump body and plowing package from Robert Green Truck Division and three (3) 15 passenger vans from Warnock Dodge, Inc., under existing State of New York Contract Numbers P010851 and P010729 pursuant to law and University regulations. Such purchase shall not exceed a total estimated cost of $110,000 chargeable to Capital Project No. LM066-995.
EXPLANATION: The existing vehicles have far exceeded their useful life and have become unreliable. It is no longer cost effective to repair the vehicles. Without new vehicles the Buildings and Grounds personnel will not be able to properly maintain the campus and the Athletic Department will not be able to safely transport the teams to games.

F. LEHMAN COLLEGE - PURCHASE OF KITCHEN EQUIPMENT:

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 to purchase kitchen equipment. 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 $120,000 chargeable to City Capital Budget, Project No. LM067-995. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The existing equipment is old, unreliable and requires frequent repair. It is no longer economical to repair. The cafeteria serves approximately 3,000 students and 500 faculty and staff members each day. A properly working kitchen is required in order to comply with health codes and the contract with the food service vendor.

G. KINGSBOROUGH COMMUNITY COLLEGE - PURCHASE OF DISTRIBUTED INFORMATION SYSTEM EQUIPMENT:

RESOLVED, That the Board of Trustees of The City University of New York authorize Kingsborough Community College to purchase computer equipment from Washington Computer Services, and Government Computer Sales, Inc., under existing New York State Contract Numbers P038611 and PT00061 respectively, pursuant to law and University regulations. Such purchase shall not exceed a total estimated cost of $216,000 chargeable to FAS Code 2-121-01-309 during the fiscal year ending June 30, 1996.

EXPLANATION: These acquisitions of software, workstations and servers will provide the framework for a campus "Distributed Information System." This system will establish an integrated communication platform for Electronic Mail, File Transfer, Client-Server data processing, as well as Internet access for local and wide area campus networks. The scope of this request is to establish administrative office connectivity for the president, vice presidents, deans, and key administrative offices such as the Business Office, Registrar/Admissions, Personnel, and the Administrative Computer Center.

H. QUEENSBOROUGH COMMUNITY COLLEGE - PRINTING/DELIVERY OF CONTINUING EDUCATION BULLETINS, FALL 1996 AND SPRING 1997:

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 for the printing and delivery of Continuing Education Bulletins for Fall 1996/Spring 1997. 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 $115,000 chargeable to FAS Code 3-742-12438 during the fiscal year ending June 30, 1997. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The Queensborough Community College Continuing Education Bulletin serves as the official record of information for the adult continuing education programs at the College.

I. BROOKLYN COLLEGE - LAGUARDIA/GIDEONSE LIBRARY REHABILITATION AND EXTENSION:

RESOLVED, That the Board of Trustees of The City University of New York approve the selection of the firm of Buttrick White & Burtis w/Shepley Bullfinch Richardson and Abbott to prepare programs, plans, specifications, and cost estimates for the library rehabilitation and extension at Brooklyn College of The City University of New York; and be it further
RESOLVED, That the City University Construction Fund be requested to authorize the Dormitory Authority of the State of New York to enter into a contract for the design of the aforesaid construction project.

EXPLANATION: The rehabilitation and extension of the LaGuardia Hall/Gideonse Library is to be the first project implemented under the Master Plan. In October of 1994, a new Master Plan for Brooklyn College was approved by the Board of Trustees of The City University of New York. The project will renovate the 172,650 GSF and add 105,000 GSF of new space for a total of 277,650 GSF.

The current library complex is made up of LaGuardia Hall, the original flagship building constructed in 1937, and Gideonse Hall, a 1959 addition. Neither structure has ever been renovated. This aging physical plant is out of tune with its academic and administrative needs. The building requires extensive reconstruction and technological upgrading: the HVAC system is in poor condition, the original ventilation system is not functional, the wiring and infrastructure will not support computer and communicational technologies. The Master Plan indicates that the facility is vastly undersized. The poor internal circulation system between the original LaGuardia Hall and the Gideonse addition prevents the building from functioning as a cohesive unit. The renovation and addition seek to resolve these problems to meet the needs of the future. The renovation will also provide access to the handicapped, in compliance with the Americans with Disabilities Act.

The proposed firm was selected in accordance with law and University regulations.

J. KINGSBOROUGH COMMUNITY COLLEGE - APPLICATION FOR GRANT OF FEDERAL SURPLUS LANDS:

RESOLVED, That the Board of Trustees of The City University of New York acknowledges that certain real property (the "Quentin Street Property"), owned by the United States of America, located in the County of Kings, State of New York, has been declared surplus to the needs of the Federal government and is subject to assignment for disposal for educational purposes by the Secretary of Education, under provisions of Section 203(k)(1)(a) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (the "Act", and rules and regulations promulgated pursuant thereto, which property is more particularly described as follows:

Approximately 4.7 acres located on Lot 110, Block 8760, in the Borough of Brooklyn, County of Kings, State of New York, having a northern boundary along the U.S. pierhead and bulkhead line of Sheepshead Bay, an eastern boundary approximately 150 feet east of and parallel to the center line of Quentin Street, a southern boundary approximately 200 feet north of and parallel to the center line of Oriental Boulevard, and a western boundary approximately 150 feet west of and parallel to the center line of Quentin Street;

and be it further

RESOLVED, That The City University of New York, on behalf of Kingsborough Community College, one of the University's constituent community colleges, needs and can utilize the Quentin Street Property for educational purposes in accordance with the requirements of said Act and the rules and regulations promulgated thereunder, of which this Board of Trustees has been fully informed, including commitments regarding use and time within which such use shall commence; and be it further

RESOLVED, That The City University of New York, acting by and through Kingsborough Community College, shall make application to the Secretary of Education for, and secure the transfer to it of, the Quentin Street Property for said use upon and subject to such exceptions, reservations, terms, covenants, agreements, conditions and restrictions as the Secretary of Education, or his or her authorized representative may require in connection with the disposal of the Quentin Street Property under the Act and rules and regulations promulgated thereunder, provided, however, that, if the conditions so imposed are not acceptable to The City University of New York, the University, in its discretion, may withdraw its application and decline to acquire the Quentin Street Property; and be it further
RESOLVED, That The City University of New York has legal authority pursuant to, among other things, New York Education Law Section 6213(1), and is willing and is in a position financially and otherwise to assume immediate care and maintenance of the Quentin Street Property, and that each of Laurence F. Mucciolo, Deputy Chancellor, and Emma Espino Macari, Vice Chancellor for Facilities Planning, Construction and Management, or the duly appointed successor of each, is hereby authorized, for and on behalf of The City University of New York to do and perform any and all acts and things that may be necessary to carry out the immediately preceding resolution, including, the preparing, making and filing of plans, applications, reports and other documents, the execution, acceptance, delivery and recordation of agreements, deeds and other instruments pertaining to the transfer of the Quentin Street Property; and the payment of any and all sums necessary on account of the purchase price thereof, including fees or costs incurred in connection with the transfer of the Quentin Street Property for surveys, title searches, real estate appraisals, recordation of instruments or costs associated with escrow arrangements; together with any payments necessary by virtue of nonuse or deferral of use of the Quentin Street Property, provided, however, that if such costs exceed a reasonable level, as determined by either such officer, The City University of New York may elect not to proceed with the acquisition of the Quentin Street Property or may transfer the Quentin Street Property back to the United States or its designee; and be it further

RESOLVED, That The City University of New York understands and agrees that The City University of New York will pay to the United States Department of Education for each month of nonuse beginning twelve (12) months after the date of the deed or thirty-six (36) months where construction of major renovation is contemplated, the sum of 1/360th of the then current fair market value of the Quentin Street Property, provided, however, that as an alternative to making any such payment, The City University of New York reserves the right, in its discretion, to transfer the Quentin Street Property back to the United States; and be it further

RESOLVED, That if the Application for Public Benefit Allowance Acquisition of Surplus Federal Real Property for Educational Purposes submitted for the Quentin Street Property is approved, a copy of the application and standard deed conditions will be filed with the permanent minutes of the Board.

Trustee Howard stated that Calendar No. 4.J., is being presented subject to clarification of the language by the U. S. Secretary of Education. Trustees will be advised of any language changes before final approval of the resolution and submission of the application. (See amended resolution, Cal. No. 5.0., May 28, 1996 Board Meeting)

NO. 6. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH: RESOLVED, That the following items be approved:

A. CITY COLLEGE - ADVANCED CERTIFICATES LEADING TO PROVISIONAL CERTIFICATION FOR SECONDARY SCHOOL TEACHERS IN ENGLISH EDUCATION, MATHEMATICS EDUCATION, SCIENCE EDUCATION, AND SOCIAL STUDIES EDUCATION:

RESOLVED, That the Advanced Certificate programs leading to Provisional Certification for Secondary School Teachers in English Education, Mathematics Education, Science Education, and Social Studies Education, to be offered at City College be approved, effective September 1996, subject to financial ability.

EXPLANATION: The purpose of the proposed programs is to provide a sequence of education courses for students who have baccalaureate degrees but who have not completed the necessary education course requirements to qualify for provisional certification as Secondary School Teachers. The proposed Advanced Certificate programs will qualify students for provisional certification in Secondary Education and also for admission to the appropriate Master of Science in Education programs that will lead to permanent certification. The curricula for these programs are structured on the recommendations of the New York State Education Department. New York State regulations require that post-baccalaureate provisional certification requirements be registered separately from Master's degree programs that lead to permanent certification.

All of the courses required in these programs are currently offered by City College on a regular scheduled basis. No new staff or resources are required to offer these programs.
B. YORK COLLEGE - AMENDMENT TO OMNIBUS BOARD RESOLUTION:

RESOLVED, That the Omnibus Board Resolution approved by the Board of Trustees at its meeting of June 26, 1995, be amended in part as follows:

I. York College

[3. Establishment of the Department of Elementary and Developmental Education, effective July 1, 1996.]

Note: Matter in brackets to be deleted.

EXPLANATION: York College's retrenchment planning contemplated the abolition of the departments of Education and Academic Development, and the consolidation of most affected programs and faculty into a new Department of Elementary and Developmental Education. However, the final University budget made it clear that York could not continue the level of programs initially contemplated. Accordingly, York College has decided not to establish a department of Elementary and Developmental Education. York College's Education Programs will be coordinated through appropriate academic departments by a program director. Remaining personnel from the Departments of Education and of Academic Development are being transferred to appropriate academic departments in accordance with separate resolutions which have been submitted to the Board of Trustees via the University Report. Contingent upon the approval of the Board of Trustees, designated faculty members will be transferred to designated departments.

These actions follow consultation with the affected faculty and are strongly endorsed by the College Administration.

C. BRONX COMMUNITY COLLEGE - A.A.S. IN TELECOMMUNICATIONS TECHNOLOGY: NYNEX:

RESOLVED, That the program in Telecommunications Technology: NYNEX leading to the Associate in Applied Science degree to be offered at Bronx Community College be approved, effective September 1996, subject to financial ability.

EXPLANATION: The purpose of the proposed program is to establish a corporate specific A.A.S. degree program that will provide NYNEX employees with the knowledge and skills necessary to work with the advanced technologies of today's fast changing and expanding telecommunications industry.

Bronx Community College has joined with eleven other CUNY and SUNY Community Colleges to form a consortium that will provide instructional programs for NYNEX employees. NYNEX contracted with Hudson Valley Community College to coordinate the NEXT STEP consortium of colleges and has allocated approximately $22,000,000 to support instructional programs during the first four years. NYNEX's initial outreach was to 10,000 of its 33,000 CWA employees in New York State and 9,250 indicated an interest in participating in an A.A.S. degree program in Telecommunications Technology. Almost half of these employees live in the New York metropolitan area.

In order to be eligible, NYNEX employees must hold a high school diploma or a GED and pass a standardized test of verbal and mathematical skills. Employees who meet these criteria are then selected for participation on a seniority basis.

No new full-time faculty will be required to support this program. The College has qualified faculty in place to teach all the courses in the program. If enrollment in the program grows, additional adjunct faculty may be required.

Trustee Stanley Fink abstained.
D. QUEENSBOROUGH COMMUNITY COLLEGE - A.A.S. IN TELECOMMUNICATIONS TECHNOLOGY: NYNEX:

RESOLVED, That the program in Telecommunications Technology: NYNEX leading to the Associate in Applied Science degree to be offered at Queensborough Community College be approved, effective September 1996, subject to financial ability.

EXPLANATION: The purpose of the proposed program is to establish a corporate specific A.A.S. degree program that will provide NYNEX employees with the knowledge and skills necessary to work with the advanced technologies of today's fast changing and expanding telecommunications industry.

Queensborough Community College has joined with eleven other CUNY and SUNY Community Colleges to form a consortium that will provide instructional programs for NYNEX employees. NYNEX contracted with Hudson Valley Community College to coordinate the NEXT STEP consortium of colleges and has allocated approximately $22,000,000 to support instructional programs during the first four years. NYNEX's initial outreach was to 10,000 of its 33,000 CWA employees in New York State and 9,250 indicated an interest in participating in an A.A.S. degree program in Telecommunications Technology. Almost half of these employees live in the New York metropolitan area.

In order to be eligible, NYNEX employees must hold a high school diploma or a GED and pass a standardized test of verbal and mathematical skills. Employees who meet these criteria are then selected for participation on a seniority basis.

No new full-time faculty will be required to support this program. The College has qualified faculty in place to teach all the courses in the program. If enrollment in the program grows, additional adjunct faculty may be required.

Trustee Stanley Fink abstained.

E. NEW YORK CITY TECHNICAL COLLEGE - A.A.S. IN TELECOMMUNICATIONS TECHNOLOGY: NYNEX OPTION:

RESOLVED, That the program in Telecommunications Technology: NYNEX Option leading to the Associate in Applied Science degree to be offered at New York City Technical College be approved, effective September 1996, subject to financial ability.

EXPLANATION: The purpose of the proposed program is to establish a corporate specific A.A.S. degree program that will provide NYNEX employees with the knowledge and skills necessary to work with the advanced technologies of today's fast changing and expanding telecommunications industry.

New York City Technical College has joined with eleven other CUNY and SUNY Community Colleges to form a consortium that will provide instructional programs for NYNEX employees. NYNEX contracted with Hudson Valley Community College to coordinate the NEXT STEP consortium of colleges and has allocated approximately $22,000,000 to support instructional programs during the first four years. NYNEX's initial outreach was to 10,000 of its 33,000 CWA employees in New York State and 9,250 indicated an interest in participating in an A.A.S. degree program in Telecommunications Technology. Almost half of these employees live in the New York metropolitan area.

In order to be eligible, NYNEX employees must hold a high school diploma or a GED and pass a standardized test of verbal and mathematical skills. Employees who meet these criteria are then selected for participation on a seniority basis.

New York City Technical College currently offers a program in telecommunications leading to an Associate in Applied Science degree. The College has qualified faculty in place to teach all the courses in the program. If enrollment in the program grows as anticipated, additional faculty may be required.

Trustee Stanley Fink abstained.
NO. 5. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved:

A. BARUCH COLLEGE - NAMING OF THE COLLEGE AUDITORIUM, MASON HALL:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of The Baruch College Auditorium at 17 Lexington Avenue, New York City, "Mason Hall."

EXPLANATION: Eli Mason (Class of 1940) and Claire Mason (Class of 1940) have made a gift to The Baruch College Fund of $1,000,000. The gift will be made in installments of at least $200,000 per year; the entire gift to be made available no later than December 31, 1999. Mr. and Mrs. Mason have been alumni, friends and supporters of Baruch College and are pleased to have this opportunity to show their appreciation to the College. Eli Mason has served Baruch College with distinction as the founder and first president of The Baruch College Fund, 1969-74. He has a distinguished professional career in Accountancy, which includes the presidency of the New York State Society of Certified Public Accountants and the Foundation for Accounting Education. The generosity of Eli and Claire Mason has been extraordinary. In 1987, gifts generated by the Eli Mason Distinguished Alumnus Tribute Dinner and a personal contribution from Eli and Claire Mason established a $100,000 fund to support young faculty members in the field of accountancy who demonstrate scholarly promise and ability. In recognition of the generosity of Eli and Claire Mason, Baruch College wishes to rename the Auditorium, "Mason Hall." The President enthusiastically supports this resolution.

B. BARUCH COLLEGE - NAMING OF THE LIBRARY LOUNGE FOR POPULAR AND CASUAL READING AT THE NEWMAN LIBRARY, THE ROSALYN AND IRWIN ENGELMAN READING ROOM:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Library Lounge for Popular and Casual Reading at the Newman Library of Baruch College, "The Rosalyn and Irwin Engelman Reading Room."

EXPLANATION: Irwin Engelman (Class of 1955) and Rosalyn Engelman have made a gift to The Baruch College Fund of $250,000. This gift will be paid in installments of at least $50,000 per year; the entire gift to be made available no later than April 15, 2000. Mr. and Mrs. Engelman are pleased to have this opportunity to show their appreciation to the College.

Irwin Engelman continues to serve the College with distinction as the president of The Baruch College Fund, a position he assumed in 1994. He is currently the Executive Vice President and Chief Financial Officer of MacAndrews & Forbes Holdings.

In recognition of the generosity of the Engelman's, Baruch College wishes to name the Library Lounge for Popular and Casual Reading, "The Rosalyn and Engelman Reading Room." The President enthusiastically supports this resolution.

C. NEW YORK CITY TECHNICAL COLLEGE - PROPOSED AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the Governance Plan of New York City Technical College be amended by adopting a new Part III entitled "Promotion Procedures" and that Parts III, IV, and V, be renumbered Parts IV, V, and VI respectively: (See Appendix C)

PART III - PROMOTION PROCEDURES

A. 1. At the beginning of each academic year, the Dean for Human Resources issues a personnel calendar which includes deadline dates for the promotion process. The Dean also sends to each Department Chair a listing of those faculty eligible to apply for promotion together with promotion applications which are to be delivered personally to each eligible candidate. Any individual who does not receive an application and questions the eligibility listing should contact the Dean for Human Resources.
2. During the Fall semester, the President appoints two ad hoc promotion committees each consisting of five or six members of the faculty to examine in depth the candidacies of the applicants for promotion to the rank of associate professor and professor.

   a. The ad hoc committee on promotion to associate professor will be composed of either five or six members of the faculty holding the rank of associate professor or professor. At least two of its members must be from the College P&B Committee with the ad hoc committee chaired by a member of the College P&B Committee.

   b. The ad hoc committee on promotion to professor will be composed of five or six members of the faculty holding the rank of professor. At least two of its members must be from the College P&B Committee with the ad hoc committee being chaired by a member of the College P&B Committee.

3. Applications of candidates as well as the required evaluations must be filed with the Dean for Human Resources by the announced deadline dates.

B. The promotion process to the senior ranks originates with an evaluation by the Departmental Peer Committee. For promotion to the rank of professor, the Peer Committee is composed of all full professors in the Department; for promotion to the rank of associate professor, the Committee consists of all associate and full professors in the Department. The following procedures are to be followed at the departmental level:

1. Department Chairs:

   a. Have all eligible candidates observed during the Fall semester, review the observations with the candidates within a three week period, and prepare the appropriate memoranda.

   b. Determine from the candidates whether they wish to appear before the Peer Committee.

   c. Convene the Peer Committee to discuss each candidate and to elect a representative to be interviewed by the ad hoc committee. It is the Peer Committee's responsibility to evaluate each candidate using the College's performance criteria for promotion. These evaluations should result in a written report prepared by and voted on by the Peer Committee. The report should be signed by each of the members of the Peer Committee. These signatures indicate that the peers have read the report and are aware that they may append comments. Minority reports may be filed.

   d. Hold a conference with each applicant to discuss the Peer Committee evaluation report and minority report (if any). This discussion should be reflected in a memorandum signed by the Chair and applicant, a copy of which should be given to the applicant. The candidate should also receive an unsigned copy of the report including any appended comments.

   e. Submit the reports, observations and memoranda together with the name(s) of the elected peer(s) to the Dean for Human Resources via the Academic Dean by the deadline date.

2. In those instances where a candidate makes application for promotion and does not fit the above model, the following procedures will apply:

   a. Where the Department Chair is the only peer in the department, the Academic Dean shall act as a second peer with the Department Chair writing the report.

   b. Where the Department Chair makes application and there are no other peers, the evaluation is performed by the Academic Dean.

   c. Where the Department Chair makes application and there is only one peer, the Academic Dean and the peer constitute the evaluating body with the peer writing the report.
d. Where the Department Chair makes application and there are two or more peers, the Academic Dean convenes the peers, an election is held for a Peers' Chair, the Academic Dean leaves, and a Committee of Peers evaluates all candidates with the Chair of the Committee writing the report.

e. Where the Department Chair does not make application and is not a peer, the Department Chair convenes the peers, participates in the evaluative discussions but does not vote.

C. During the Spring semester, the ad hoc committees review all applications, personnel files and relevant materials and interview candidates, elected peers, Academic Deans, the Provost and Department Chairs. The Affirmative Action Officer may also request to be interviewed. In addition, the committees, at their discretion, may call upon anyone either within or outside of the College to assist in their evaluations. The committees will forward their reports to the President prior to their being presented to the College P&B Committee late in the Spring semester.

1. A candidate will be considered recommended with a vote of 5 - 1 or 4 - 1.

2. In cases where a committee member is a member of the same Department as the candidate, the committee member will excuse him/herself from the interviewing and voting processes. A candidate will then be considered recommended with a vote of 4 - 1 or 3 - 1.

D. After action is taken by the College P&B Committee, the President, in consultation with the Provost and Academic Deans, will review the applications of all candidates and will make his/her final recommendations known to the College P&B Committee at its first meeting in September.

1. Appeals may be made to the Personnel Appeals Committee.

2. Candidates not recommended for promotion will meet with their Department Chair and Academic Dean early in the Fall semester and prior to the beginning of the next promotion process so that the substance of the ad hoc committee's report relative to their candidacy may be shared with them. A record of this meeting will be summarized in a memorandum and placed in the candidate's personnel file.

PART [III] IV, PART [IV] V, PART [V] VI

NOTE: Matter in brackets to be deleted.

The revised governance plan will be on file in the Office of the Secretary of the Board.

EXPLANATION: An arbitration award issued at the end of 1994 interpreted the Board's Bylaws to require applications to full professor to be originated at the College-wide Personnel and Budget ("College P&B") Committee level and consequently ruled that promotions to full professor may not be considered by departmental committees unless specifically provided for in a College's governance plan. The proposed amendment will be consistent with past New York City Technical College practices for promotions to (full) professor and associate professor, which are initiated at the Departmental level, prior to consideration by the College P&B Committee. The amendments also codify the roles of the ad hoc committees on promotion to associate professor and professor, both appointed by the College President. For promotion to associate professor, the ad hoc committee consists of five or six faculty members holding the same or higher rank, at least two of whom are members of the College P&B Committee, and for professor, the members must all be professors. Recommendations for promotion are received by the ad hoc committees from Departmental Peer Committees (i.e., for professor, all professors in the department; for associate professor, all associate and full professors), and the ad hoc committees then make recommendations to the College P&B Committee. The proposed amendments have been approved by the College Council and are recommended by the College President.
ADDED ITEM

NO. 7. 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:

LAGUARDIA COMMUNITY COLLEGE

Dr. Reginald Wilson

Doctor of Humane Letters

(To be awarded at the September 1996 commencement)

BARUCH COLLEGE

Mr. Milton J. Hinton

Doctor of Music

(To be awarded at the June 1996 commencement)

JOHN JAY COLLEGE OF CRIMINAL JUSTICE

Ms. Julia Alvarez
Ms. Rosario Ferre
Mr. Hugh Gallagher
Mr. Rex Nettleford
Dr. Alfred Blumstein

Doctor of Humane Letters
Doctor of Humane Letters
Doctor of Humane Letters
Doctor of Humane Letters
Doctor of Laws

(To be awarded at the May 1996 commencement)

THE CITY COLLEGE

Ellen Futter, Esq.
Mr. Seymour Gartenberg
Mr. Oscar Hijuelos
Dr. Leonard Kleinrock

Doctor of Humane Letters
Doctor of Humane Letters
Doctor of Humane Letters
Doctor of Humane Letters

(To be awarded at the June 1996 commencement)

THE GRADUATE SCHOOL & UNIV. CENTER

Mr. Stanley Burnshaw
Mr. Robert Merrill

Doctor of Letters
Doctor of Music

(To be awarded at the May 1996 commencement)

Trustee Carrion commended Presidents Lynch and Moses for nominating individuals from the Latino community to be the recipients of honorary degrees and encouraged the other Presidents to follow their lead.

At this point Trustees Badillo and Del Giudice left the meeting.

Presentation by President Frances DeGen Horowitz regarding CUNY's Graduate programs:

The Board of Trustees initially approved a unique consortium model for all pre-doctoral education as a University-wide program, and despite the stresses and strains over the years this has been an exceedingly successful enterprise. We have about 1500 doctoral faculty members who are drawn from all the CUNY campuses. There are 32 doctoral programs serving about 3800 students, half of them are women, and the average age of our students is about 36 years old.
Of the 32 doctoral programs, 21 are offered entirely at the Graduate School in that the students are all based there and the faculty from the campuses come to teach their courses there. There are five programs that are based almost entirely on the campuses, largely special programs. Some of them use courses at the graduate center. For the sciences we have a mixed model whereby all the non-lab courses are taught at the Graduate School, thereby reducing duplication, and the research and laboratory components are done on the campuses.

Our students have been enormously successful in gaining recognition. We do very well every year in terms of Javits and Fulbright awards, and our students turn out to be very competitive for positions, although not all of them seek academic positions. About 38% of our students go into research and post-doctoral positions, about 45% seek college and university positions, and about 16% seek other kinds of positions. They have been successful in seeking positions all around the country. So far this year, we know that one of our students has gotten what is considered the top job in English in the country at the University of Chicago, another at Yale University, and another at Wesleyan University. Of the five graduates in the Ph.D. program in French last year, four had tenure track jobs, and the fifth one was going to do translation. The University of Michigan has hired two CUNY Ph.D. graduates to fill tenure track positions.

Our alumni have had some very fine achievements, and in the last couple of years, two of our alumni in anthropology were recipients of the coveted MacArthur award. Our alumni are in positions all over the country, as well as here in New York. The man who is credited with finding a new, simple, and inexpensive way to produce AZT is one of our alumni in chemistry.

What makes a program successful is that faculty and students can do research on the cutting edge of their field in that they have access laboratories, libraries, and increasingly to technological sources. But in the end, it is the quality of our faculty that determines the success of the doctoral programs, and also the cooperation of the campuses in this very unique and interesting consortium model.

At this point Trustee Del Giudice rejoined the meeting.

Chancellor Reynolds stated that in a review conducted in 1993 by the National Research Council, an affiliate of the National Academy of Sciences, nine of CUNY's 26 doctoral programs (Art History, Chemical Engineering, English, French, Linguistics, History, Music, Philosophy, and Hispanics and Luizo-Brazilian Literatures) were ranked among the top 20 nationally in their fields. This is a reputational survey based on peer reviews of program quality and covers 3,600 doctoral programs at over 270 institutions in 41 fields of study. At SUNY, our sister institution, only six programs were ranked in the top 20 nationally. CUNY's Music program ranks fourth in the nation behind only Harvard, Chicago, and Berkeley, and ranked ahead of Yale and Princeton. That's a stunning achievement. CUNY ranks fourth among AAU (American Association of Universities) public universities located in cities of at least 500,000. We are a wonderfully high quality institution in an urban setting. If this was a ranking of the national public universities, where most of the enrollment is now in higher education, we would rank 15th.

Some of the distinguished faculty at the Graduate School are: Dr. Robert Alfano, who runs a multi-campus optics research program. In 1993 he was very instrumental in getting CUNY designated a New York State Center for Advanced Technology, something that Trustee Fink had something to do with when those CAT centers were started. He uses optical imaging techniques for medical applications and it is of course, one of the reasons for our greatness; Distinguished Professor of Music Coriglianos of Lehman College teaches in the fine doctoral program in Music. His compositions have been performed at Carnegie Hall and now are on the repertoire nationwide. His opera, "Ghost of Versailles" was performed at the Met this last fall; Professor Gail Levin from Baruch College, who curated the Edward Hopper Show at the Whitney Museum. This particular show is the highest attended show of any art museum in New York City this year. She has published three new books on Edward Hopper between June and October, and Dr. Luis Menon who was featured just recently as Professor, critic and professional gadfly in The Chronicle of Higher Education. He is Professor of English, a literary intellectual of the sort for which New York is famous, who straddles both the academy and journalism. His scholarly work includes a book on T. S. Eliot, and a chapter in a forthcoming book on the future of academic freedom.
The University, in spite of our declining tax levy budgets, has authorized $3 million annually in new support for graduate students, including support for minority students. We've worked hard to get external grant moneys for our very deserving graduate students. We figured out ways to use graduate teaching awards so our graduate students could be assigned to both community and senior colleges and teach based on need, and we have special support for minority students, a magnet program, a pipeline and Project Descend, and a bridges program for minority students in the sciences.

Our uniqueness in the amount of minority participation in doctoral studies should be noted. It has risen 27% since 1989 as a result of recruitment and retention initiatives. About 20% now of our domestic students in Ph.D., programs come from minority groups. I would indicate that minority students earn 23% of the doctorates awarded to domestic students from 1989 to 1994, double the national average. Of these, 12% were awarded to African-American and Latino students. The national average for these groups is only 6.8%. So we have double the national average. The national data for minorities indicates that the bulk of such students are in educational doctorates. We do not grant a doctorate in education, so we are really doing an extraordinary job there. African-American participation has risen by 44% and we continue to push on this. I compliment President Horowitz and her fine graduate faculty.

Chairman Murphy indicated his appreciation on behalf of the Board to President Horowitz for her great leadership and also to most, if not all, the Presidents around the table at whose campuses there are faculty members who participate in the graduate programs.

Upon motion duly made, seconded and carried, the Public Meeting was adjourned at 6:20 P.M. to go into Executive Session.

SECRETARY GENEVIEVE MULLIN
The Chairperson called the executive session to order at 6:24 P.M.

There were present:

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

Jerome S. Berg
Herbert Berman
Gladys Carrion
Michael J. Del Giudice
Stanley Fink

William R. Howard
Charles E. Inness
Susan Moore Mounier
Thomas Tam

William Negron, ex officio

The absence of Trustee Badillo, and Trustee Cooper was excused.

The Board went into executive session to discuss pending litigation and contract negotiations.

The executive session was adjourned at 7:51 P.M.
APPENDIX C
Minutes of Proceedings, March 25, 1996

PLAN OF GOVERNANCE FOR NEW YORK CITY TECHNICAL COLLEGE

CONSTITUTION OF THE COLLEGE COUNCIL OF NEW YORK CITY TECHNICAL COLLEGE

PART I

ARTICLE I - FUNCTION OF COLLEGE COUNCIL

The College Council shall be the body which establishes college policy on all matters except for those specifically reserved by the laws of the State of New York, by the Bylaws of the Board of Trustees of the City University of New York and the collective negotiation agreements in force.

ARTICLE II - COMPOSITION OF COLLEGE COUNCIL

A. The Council shall be composed of:

1) Ex officio members (with vote): President of the College, provost, all vice presidents, all full deans, dean of continuing education, chief librarian, registrar, director of admissions, academic deans and departmental chairpersons.

2) One member to be elected from each instructional department, program and voting unit (including Department of Student Affairs, Library, Continuing Education, College Laboratory Technicians series, Higher Education Officer series and Registrar series with up to twenty-five full-time instructional staff members; two members to be elected from each department, or voting unit with more than twenty-five full-time instructional staff members.

3) Delegates-at-large to be elected from the instructional staff as defined in Article II Section B, 2, with the number of delegates-at-large to be equal to the number of departments, and voting units.

4) Students: Student representatives designated as follows:
   a) Two students elected by the student government.
   b) Four students from each academic division, each of whom is registered in a department within that academic division, elected by the students within that division. Current election procedures for divisional student representatives are to remain in force.
   c) Elections for delegates should be held at the same time as election of Student Government officers.
   d) Election of all student representatives to the College Council shall be by plurality vote of those eligible and voting.
   e) All student representatives on the College Council will serve for a one-year period.

B. Eligibility to serve and to vote on the College Council:

1) Students

   In order for students to serve on the College Council they must meet all of the following criteria:

   a) They must be currently enrolled in the college and in good academic standing. Any student member of the council placed on academic probation during his/her term of office automatically loses his/her seat and may stand for re-election only on being returned to good standing.

*These groups shall be construed as separate voting units ONLY for the purpose of electing College Council delegates. However, CLT's may not vote in elections for departmental delegates.
b) They must have successfully completed twelve hours.
c) They must be able to serve a minimum of one year.
d) They must be enrolled for a minimum of 3 hours.
e) If a student vacancy occurs, the student voting unit from which the student comes shall provide a replacement. The name of the replacement is to be reported to the council secretary.

2) Instructional Staff

The following members of the instructional staff shall be eligible to serve on and vote for the College Council:

a) All professors and associate professors.
b) All tenured assistant professors and instructors.
c) All assistant professors and instructors who have received a third full-time annual appointment.
d) All full-time assistant professors (untenured) who have been appointed to the rank after serving for a minimum of three years as full-time lecturers/instructors.
e) All lecturers full-time who have received a third continuous annual appointment.
f) All college laboratory technicians who have received a third full-time continuous annual appointment.
g) All higher education officers who have received a third continuous full-time annual appointment.
h) All registrars who have received a third full-time continuous annual appointment.

C. Elections to College Council:

1) Department Delegates

a) Department delegates shall be elected by those eligible to vote as defined above and in Part II, immediately following the election of department chairpersons. They shall serve a three-year term. Those persons serving as department delegates at the time of the adoption of this constitution shall remain on the council until the expiration of their term.
b) Vacancies shall be filled by the department for the unexpired portion of the term by election within the department if a delegate resigns, retires, or is on an extended leave. If the vacancy is caused by a one-semester leave the vacancy shall be filled by a runner-up on a ranked list from the last election until the incumbent returns.

2) Delegates-at-Large

a) Delegates-at-large shall be chosen from the instructional staff as defined above. Such delegates shall be elected for a three year term with 1/3 elected each year on a rotating basis. Those persons serving as delegates-at-large at the time of the adoption of this constitution shall remain on the council until the expiration of their terms.
b) Those elected shall be selected on the basis of a plurality vote with ties broken by the candidates drawing lots.
c) Elections shall be held in the Spring semester no later than the last day of classes each year, but shall not take place until after the elections of departmental chairpersons and delegates.
d) Vacancies for delegates-at-large shall be filled from the list of runner-up candidates of the last election, on a ranked list from the last election for that position with the person having the most votes among the runners-up filling the vacancy. The vacancy shall be for the balance of the semester or academic year, depending upon the type of leave taken by the incumbent. Persons who become unavailable for an indefinite period shall be replaced as per the procedures noted above. Incumbents shall return to their positions upon returning from leave within the time of their original term.

3) All elections shall be supervised by the Legislative Committee and administered by the Office of the Dean of Human Resources and Labor Relations. Student elections shall be supervised by the Office of the Vice-President for Student Affairs.
4) Rules for election shall be established by the College Council.

ARTICLE III - ORGANIZATION OF COLLEGE COUNCIL

A. The president of the college shall be the council chairperson. The provost shall be the vice-chairperson. The president shall preside over all meetings of the College Council. In his/her absence the meeting shall be presided over by the vice-chairperson.

B. A parliamentarian shall be elected at the first meeting of the council by a majority vote of the quorum present at the meeting. The parliamentarian may or may not be a member of the College Council but may vote only if he/she is a voting member of the council. The parliamentarian shall use the current edition of Robert’s Rules of Order, Newly Revised and shall advise the chairperson on questions of procedure in transacting the business of the council.

C. A council secretary shall be elected at the first meeting of the council by a majority vote of the quorum present at the meeting. Secretarial assistance shall be provided to the secretary to carry out his/her responsibility. The council secretary shall be responsible for:

1) The notification of time, place and agenda of all council meetings.
2) Preparation and distribution of the minutes of all council meetings with indication of all present, absent or excused.
3) Annually providing the college archivist with all council and council committee minutes as well as all other council documents.
4) Preparation and distribution to the college community of an annual report summarizing all actions taken by the council.
5) Serving as a full member of the Executive Committee of the College Council and also as a member of a standing committee.
6) Publishing a summary of attendance of members annually.
7) Updating the data base of council actions annually.

D. The council shall have a clerical secretarial person assigned to do the secretarial clerical business of the council.

ARTICLE IV - MEETINGS OF COLLEGE COUNCIL

A. The College Council shall meet a minimum of five times each academic year (at least once during the first two months) as determined by the Executive Committee of the Council.

B. No business shall be conducted at College Council meetings unless there is a quorum present. A quorum is defined as a majority of the total College Council membership.

C. The time of adjournment shall be mandatory and no binding resolutions or actions shall be permitted to be taken beyond that time.


E. The chairperson may call special meetings of the College Council to deal with specific agenda items upon three working days notice to the membership of the council.

F. The council and its committees shall have access to appropriate sources of information necessary to perform its functions.

G. Adequate secretarial services to perform its functions must be provided by the college administration to the council and its committees.
H. All council meetings shall be open to members of the college. Non-members of the council, with the approval of the council, may speak but may not vote.

I. Upon delivery of a petition of a minimum of 1/6 of the membership of the council to the College Council secretary, a meeting must be called in order to deal with the issue of the petition. This meeting must be held within ten (10) working days from the receipt of the petition.

J. The Office of the President or his/her designee shall maintain the official records of the council and such records shall be accessible to all members of the college, to the council and its committees.

ARTICLE V - POWERS AND DUTIES OF COMMITTEES OF COLLEGE COUNCIL

A. The College Council may establish standing and special committees at its discretion

1) All council members who are elected to serve on council must serve on a council committee.

2) Those council members who serve ex officio may serve on council committees or may choose not to serve on council committees.

3) Committee members shall have access to all college records necessary for carrying out their assigned responsibilities. The chairperson of the council and the vice-chairperson shall be members ex officio (without vote) of all standing and special or ad hoc committees.

4) Student members of the College Council shall be eligible to serve on committees of the College Council. Assignment shall be made in the same manner as assignment of other members to said committees.

B. The Executive Committee

1) The Executive Committee shall be composed of the council chairperson, vice-chairperson, secretary of the council and the chairpersons of all standing committees.

2) The council chairperson or, in his/her absence, the vice-chairperson shall preside at meetings of the Executive Committee.

3) In the absence of a chairperson of a standing committee he/she may be represented by a designee from the same committee who shall enjoy the same privileges as the chairperson.

4) The Executive Committee shall meet at least once a month during the academic year and shall first meet by call of the chairperson early in the fall semester.

5) The Executive Committee shall prepare the agenda for all meetings of the College Council. A copy of the agenda shall be delivered to each council member at least five working days prior to a meeting and shall be posted on bulletin boards to be designated by the council at least five working days prior to a meeting. Once an agenda has been distributed, it may be modified only by action of the College Council.

6) The Executive Committee of the council shall refer matters brought to its attention to the appropriate committee or to the council. All proposals submitted to standing and special committees must be complete and contain intended committee designations and time frames or they will be returned to their originators for revision. It shall receive recommendations and resolutions from all standing and special committees prior to submission to the council.

7) The Executive Committee of the council shall submit such recommendations and resolutions to the council or shall return them to the appropriate committee with comments. If a recommendation or resolution is returned to a committee and the committee passes it for a second time and forwards it to the Executive Committee, it must be placed on the agenda of the next council meeting.

C. Committee on Committees

1) The Committee on Committees, composed of five council members of the instructional staff as defined in Article II, B.2. shall be elected by members of the council at the first meeting of the council.

2) The Committee on Committees will elect its own chairperson.
3) Each member of this committee must serve on another standing committee of the council.
4) This committee shall be charged with assigning council members to serve on standing committees within ten days of the first meeting of the council each year.
5) This committee shall determine the number of members to be assigned to each standing committee with the proviso that no committee shall have fewer than seven members.
6) In making its assignments the committee will consider appropriate continuity and individual preferences.
7) At least one student shall be assigned to each standing committee.

D. Standing Committees

1) Each standing committee shall elect its own chairperson and secretary. Each chairperson and secretary shall serve for one year.
2) Each committee shall investigate, study and report to the College Council on all matters brought to its attention by any member of the council's constituency.
3) By a simple majority vote of the College Council a matter resting in the hands of a committee shall be brought before the council at its next scheduled meeting.
4) Each committee shall transmit its minutes with a record of attendance to the Executive Committee of the College Council and to all members of the council.
5) No committee has the authority to act for the council.
6) Each committee shall work within a reasonable time frame with full knowledge and awareness of such deadlines as may exist.

7) Curriculum Committee
   This committee shall be responsible for the evaluation of curriculum, the review of proposals for the development and modification of curriculum, and formulation of curriculum policy.

8) Committee on Students
   This committee shall be responsible for the evaluation and formulation of policy pertaining to: student recruitment, admission, discharge, student orientation, registration, discipline, counseling, academic standards, granting of degrees, ceremonies, health and other services, extra-curricula activities including athletics, student grievances, as well as other activities relating to students. All actions of this committee shall be undertaken within the boundaries of the students' right to privacy as defined by the Students Records Access Policy of the Board of Trustees of the City University of New York.

9) Budget Committee
   This committee shall be responsible for recommendation and evaluation of policy relating to the financial and budgetary affairs of the college.

10) Legislative Committee
    This committee shall be responsible for the formulation of any required amendments to this constitution, the election procedures, and bylaws of this body. In addition, this committee shall review and recommend action to the council on legislation of concern to the college community.

11) Buildings and Grounds Committee
    This committee shall be responsible for recommendations to the council concerning the condition, improvements, and safety of the college proper and its environs. This committee shall be expected to provide liaison between the faculty and the Office of the Vice President of Fiscal and Operational Affairs. To further this goal, the Buildings and Grounds Committee shall be represented on all college-wide committees dealing with the planning and use of the physical plant.
12) **Personnel Committee**  
This committee shall be responsible for the development of policies and practices (not subsumed by the Board of Trustees' Bylaws or existing contractual agreements) relating to the instructional staff:

a) It shall be responsible for reviewing existing policies and practices and proposing recommendations for change.

b) It shall also be responsible for the development and continuing review of criteria and procedures for the evaluation of administrators appointed by the president of the college and shall be responsible for seeing that there shall be periodic evaluation of all such administrators.

13) **Non-members on Committees**  
Members of the instructional staff and students who have not been elected to the council and who wish to serve on a standing committee of the College Council may apply in writing to the chairperson of the Committee on Committees. The chairperson of the Committee on Committees, in consultation with the members of the Committee on Committees and the chairperson of the committee being requested, must either grant or deny the request in writing. A denial must be accompanied by a reason. Those persons who are accepted will serve on the committee but will not have a vote and will not serve as delegates to the council. Representation of non-voting members on a committee shall not exceed 25% of the voting members, nor shall such non-voting members be counted as part of the committee's quorum. Their term shall not exceed the academic year in which they are invited to serve.

**ARTICLE VI - PAST PRACTICES OF COLLEGE COUNCIL**

A. Nothing in this document shall in any way be construed as to void the legality of any legislation of any previous duly constituted council, except as it may be specifically provided for in this constitution.

**PART II - DEPARTMENTAL ELECTIONS**

A. All full-time members of the instructional staff as defined below shall be eligible to vote in all departmental elections:

1) Professors and associate professors.
2) Tenured assistant professors and instructors.
3) Assistant professors and instructors who have received a third full-time continuous annual appointment.
4) Full-time assistant professors (untenured) who have been appointed to this rank after serving for three years as full time lecturers/instructors.
5) Full-time lecturers who have received a third continuous annual appointment.

B. Eligibility to serve as department chairperson and to serve on appointments committees:

The provisions of Article IX, section 9.1., of the Bylaws of the Board of Trustees shall be used to determine those faculty members eligible to serve as department chairpersons and to serve on committees on appointments.

C. In departmental elections for chairperson, committee on appointments and departmental delegate to the College Council, and in the peer evaluation process for promotion, the following shall be deemed ineligible to vote and serve:
1) Appointees, (either regular or acting but not including people serving in the below titles as the chief administrator of the Library, the Department of Student Affairs, and the Department of Continuing Education) as:

   a) President
   b) Provost
   c) Vice President
   d) Dean
   e) Associate Dean
   f) Assistant Dean
   g) Administrator
   h) Associate Administrator
   i) Assistant Administrator

2) Those serving in a full-time administrative capacity with the City University of New York, or the city, state or federal government.

3) Those placed on disability leave without pay including TIAA Disability.

4) Persons shall be deemed ineligible to vote in their departments if they are serving in a full-time administrative capacity for two years continuously outside of their own departments. For purposes of implementation, calculation of the two-year period shall begin with the September following the adoption of this constitution by the Board of Trustees of the City University of New York.

5) All of the above shall regain their rights immediately upon returning to full-time teaching or other service in their own departments.

PART III - PROMOTION PROCEDURES

1. At the beginning of each academic year, the Dean for Human Resources issues a personnel calendar which includes deadline dates for the promotion process. The dean also sends to each Department Chair a listing of those faculty eligible to apply for promotion together with promotion applications which are to be delivered personally to each eligible candidate. Any individual who does not receive an application and questions the eligibility listing should contact the Dean for Human Resources.

2. During the fall semester, the President appoints two ad hoc promotion committees each consisting of five or six members of the faculty to examine in depth the candidacies of the applicants for promotion to the rank of associate professor and professor.

   a. The Ad Hoc Committee on promotion to associate professor will be composed of either five or six members of the faculty holding the rank of associate professor or professor. At least two of its members must be from the College P&B Committee with the Ad Hoc Committee being chaired by a member of the College P&B Committee.

   b. The Ad Hoc Committee on promotion to professor will be composed of five or six members of the faculty holding the rank of professor. At least two of its members must be from the College P&B Committee with the Ad Hoc Committee being chaired by a member of the College P&B Committee.

3. Applications of candidates as well as the required evaluations must be filed with the Dean for Human Resources by the announced deadline dates.

   B. The promotion process to the senior ranks originates with an evaluation by the Departmental Peers Committee. For promotion to the rank of professor, the Peer Committee is composed of all full professors in the Department; for promotion to the rank of associate professor, the Committee consists of all associate and full professors in the Department. The following procedures are to be followed at the departmental level:
1. Department Chairs:
   a. Have all eligible candidates observed during the Fall semester, review the observations with the candidates within a three week period, and prepare the appropriate memoranda;
   b. Determine from the candidates whether they wish to appear before the Peer Committee;
   c. Convene the Peer Committee to discuss each candidate and to elect a representative to be interviewed by the Ad Hoc Committee. It is the Peer Committee's responsibility to evaluate each candidate using the College's performance criteria for promotion. These evaluations should result in a written report prepared by and voted on by the Peer Committee. The report should be signed by each of the members of the Peer Committee. These signatures indicate that the peers have read the report and are aware that they may append comments. Minority reports may be filed.
   d. Hold a conference with each applicant to discuss the Peer Committee evaluation report and minority report (if any). This discussion should be reflected in a memorandum signed by the Chair and applicant, a copy of which should be given to the applicant. The candidate should also receive an unsigned copy of the report including any appended comments.
   e. Submit the reports, observations and memoranda together with the name(s) of the elected peer(s) to the Dean for Human Resources via the Academic Dean by the deadline date.

2. In those instances where a candidate makes application for promotion and does not fit the above model, the following procedures will apply:
   a. Where the Department Chair is the only peer in the department, the Academic Dean shall act as a second peer with the Department Chair writing the report;
   b. Where the Department Chair makes application and there are no other peers, the evaluation is performed by the Academic Dean;
   c. Where the Department Chair makes application and there is only one peer, the Academic Dean and the peer constitute the evaluating body with the peer writing the report;
   d. Where the Department Chair makes application and there are two or more peers, the Academic Dean convenes the peers, an election is held for a Peers' Chair, the Academic Dean leaves, and a Committee of Peers evaluates all candidates with the Chair of the Committee writing the report;
   e. Where the Department Chair does not make application and is not a peer, the Department Chair convenes the peers, participates in the evaluative discussions but does not vote.

C. During the Spring semester, the Ad Hoc Committees review all applications, personnel files and relevant materials and interview candidates, elected peers, Academic Deans, the Provost and Department Chairs. The Affirmative Action Officer may also request to be interviewed. In addition, the committees, at their discretion, may call upon anyone either within or outside of the College to assist in their evaluations. The committees will forward their reports to the President prior to their being presented to the College P&B Committee late in the Spring semester.
   1. A candidate will be considered recommended with a vote of 5 - 1 or 4 - 1.
   2. In cases where a committee member is a member of the same Department as the candidate, the committee member will excuse him/herself from the interviewing and voting processes. A candidate will then be considered recommended with a vote of 4 - 1 or 3 - 1.
D. After action is taken by the College P&B Committee, the President, in consultation with the Provost and Academic Deans, will review the applications of all candidates and will make his final recommendations known to the College P&B Committee at its first meeting in September.

1. Appeals may be made to the Personnel Appeals Committee.

2. Candidates not recommended for promotion will meet with their Department Chair and Academic Dean early in the Fall semester and prior to the beginning of the next promotion process so that the substance of the Ad Hoc Committee's report relative to their candidacy may be shared with them. A record of this meeting will be summarized in a memorandum and placed in the candidate's personnel file.

PART IV - PERSONNEL APPEALS COMMITTEE

There shall be a Personnel Appeals Committee whose function shall be to review appeals transmitted to it by those who wish to appeal matters relating to instructional staff appointments, reappointments, certificates of continuous employment, tenure, leaves, promotions, and the policies, recommendations, and procedures thereto pertaining, and to advise the president on their disposition. Such appeals may be made either before or after the president's decision.

This committee shall be composed of two tenured associate or full professors from each academic division and two from the combined unit composed of the Department of Continuing Education, the Library, Registrar series, and the Department of Student Affairs. One member from each division shall be elected each fall, by members of the instructional staff in the faculty titles of lecturer, instructor, assistant professor, associate professor, and full professor who are eligible to participate in elections for the College Council.

In addition, one member from the HEO series and one member from the CLT series shall be elected every other fall, who will serve, with vote, only when an appeal has been presented to the Personnel Appeals Committee by a person in the HEO series or in the CLT series respectively. All persons in the HEO series who are eligible to vote in the elections for College Council shall be eligible to vote for the HEO representative. All persons in the CLT series who are eligible to vote in the elections for College Council shall be eligible to vote for the CLT representative. These representatives from the HEO and CLT series shall only participate in those actions which involve members of their respective series.

The chairperson of this committee shall be elected from among the membership of the committee by the committee members each fall, following the election held to fill the vacant seats. Each division/area shall conduct a separate election for its representatives. Each elected member shall serve for a two year term.

PART V - ADMINISTRATIVE ACCOUNTABILITY

The president shall report no less than once during each academic year to the assembled instructional staff of the college on accomplishments of his/her administration and plans for the future. On such occasions the president will entertain questions and statements from the assembled instructional staff.

Division deans shall report no less than once during each academic year to the assembled instructional staff of the division on accomplishments of his/her administration and plans for the future. On such occasions the division dean will entertain questions and statements from the assembled instructional staff of the division.

Department chairpersons shall report no less than once during each academic year to the assembled instructional staff of the department on accomplishments of his/her administration and plans for the future. On such occasions the chairperson will entertain questions and statements from the assembled instructional staff of the department.
PART VI - BYLAWS AND AMENDMENTS

A. BYLAWS

The College Council shall adopt bylaws, pursuant to the current edition of Robert's Rules of Order, Newly Revised to define and regulate the details of its organization and procedures.

B. Amendments

1) Amendments to this governance plan may be initiated by any standing committee or by petition of sixty (60) members of the instructional staff. The proposed amendment shall be submitted to the Legislative Committee for review. The Legislative Committee must submit the proposed amendment with its recommendations to the Executive Committee for placement on the agenda of the next regular meeting of the College Council.

2) The proposed amendment will require a two-thirds affirmative vote of the College Council. In addition, an affirmative simple majority of those members of the Instructional Staff voting, provided 30% vote, is required.

3) All amendments to this governance plan are subject to approval by the Board of Trustees.

C. The instructional staff shall have the right to reverse any specific vote of the council, including amendments of this governance plan, by a vote of the majority of the membership of said instructional staff eligible to vote. Upon petition of one-tenth of the instructional staff to the president of the College Council, a meeting, to which the entire instructional staff is invited, must be held in order to determine if the instructional staff desires to reverse any council decision in the aforementioned manner. This meeting must be held within ten (10) working days from the receipt of the petition. The instructional staff shall be notified of said meeting a minimum of five (5) working days prior to the meeting date. The president of the college shall preside at this meeting.

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Adopted by the Board of Trustees on February 22, 1994, and amended March 25, 1996, Cat. No. 5.C.