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

HELD

OCTOBER 25, 1999

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

The Chairperson called the meeting to order at 4:34 P.M.

There were present:

Herman Badillo, Chairman
Satish K. Babbar
Kenneth E. Cook
Michael C. Crimmins
Alfred B. Curtis, Jr.
Ronald J. Marino
Randy M. Mastro
Md. Mizanoor R. Biswas, ex officio
John Morning
Kathleen M. Pesile
George J. Rios
Nilda Soto Ruiz
Jeffrey S. Wiesenfeld

Secretary Genevieve Mullin
Roy P. Moskowitz, Acting General Counsel and Acting Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant
Lorrie Christian
Towanda Washington

Bernard Sohmer, ex officio

Chancellor Matthew Goldstein
Interim Deputy Chancellor Patricia Hassett
President Fred W. Beaufait
President David A. Caputo
President Dolores Fernandez
President Ricardo R. Fernandez
President Frances Degen Horowitz
President Edison O. Jackson
President Vernon Lattin
Interim President Howard L. Lapidus
Interim President Sidney I. Litzman

President Gerald W. Lynch
President Antonio Perez
President Allen Lee Sessoms
President Marlene Springer
Interim President Michael Zibrin
Interim Vice Chancellor Sherry Brabham
Vice Chancellor Jay Hershenson
Vice Chancellor Emma E. Macari
Vice Chancellor Brenda Richardson Malone
Vice Chancellor Louise Mirrer

The absence of Vice Chairman Benno C. Schmidt, Jr., and Trustee John J. Calandra was excused.
A. VIDEOTAPING OF BOARD MEETINGS: Chairman Badillo stated that he is pleased to announce that CUNY-TV is transmitting today's meeting of the Board of Trustees live on cable television, Channel 75. This is an important community service that will help provide the public with additional opportunities to observe the work of the Board and the University and I am grateful to the staff for their assistance.

B. REELECTION OF STUDENT TRUSTEE: Chairman Badillo stated that it is his pleasure to announce that Md. Mizanoor R. Biswas was reelected as Chairman of the University Student Senate. We all look forward to continuing to work together with him for the University and its wonderful students. I would like to offer congratulations to you personally, and on behalf of the Board.

C. UNIVERSITY STUDENT SENATE: Chairman Badillo offered congratulations on behalf of the Board to the other newly elected officers of the University Student Senate:

- Edward Ellis, Vice Chair for Legislative Affairs
- Timothy Merrill, Vice Chair for Fiscal Affairs
- Michael Anglin, Vice Chair for Graduate Affairs
- Joanne Gallo, Vice Chair for Senior College Affairs
- Anginette Padilla, Vice Chair for Community Affairs
- Mario Stewart, Vice Chair for Evening and Part-time Affairs.

We look forward to working with all of these newly elected vice chairs.

D. CONDOLENCES: Chairman Badillo stated that on behalf of the Board and the Administration, and for myself personally, I would like to offer sincerest condolences to Trustee Benno Schmidt on the loss of his father, Benno Charles Schmidt on October 21, 1999.

I also would like to offer condolences to the family of Donald H. Riddle who served as President of John J. Jay College of Criminal Justice from 1968 to 1975. When he became President, Dr. Riddle changed the College's curriculum by introducing required courses in language and the humanities, and exposure to critical and analytical thinking for the training of law enforcement officers. His goal was to produce educated police officers to serve the community.

E. PRESIDENT'S HONORS: Chairman Badillo called on Trustee Curtis to announce the following:

1. Dr. Marlene Springer, President of The College of Staten Island will be honored by the Latino Civic Association at its 7th Annual Hostos Award Gala on October 29, 1999. She will receive the Eugenio María de Hostos Award for higher education achievements and contributions to the Latino community. Congratulations, Dr. Springer.

2. Dr. Charles Kidd, President of York College, has been invited to serve another term as a member of the Marine Fisheries Advisory Committee (MAFAC). MAFAC is studying the significant environmental problems that continue to threaten the welfare of commercial and recreational fishermen while also affecting tribal, academic, consumer, and other national interests. Congratulations, President Kidd.

F. FACULTY HONORS: Chairman Badillo called on Trustee Curtis to announce the following:

1. Professor Ana Celia Zentella, of the Department of Black & Puerto Rican Studies at Hunter College, received a 1999 Education Advocate Award from the Puerto Rican Legal Defense and Education Fund during a ceremony at the Plaza Hotel on October 22nd. Congratulations.

2. Professor Dixie Goss, of the Department of Chemistry at Hunter College, will be awarded the Outstanding Women Scientific Award this fall from the Metropolitan Association of Women in Science. This award is based on scientific accomplishment, as well as the mentoring of women in scientific fields. Congratulations.
G. STUDENT AND ALUMNI HONORS: Chairman Badillo called on Trustee Crimmins who announced the following:

1. Mr. Gustavo Mercado, a Hunter College film major and honor student has received the Jacob K. Javits Fellowship for this academic year. Mr. Mercado is one of 43 students to win this nationwide competition.

2. Mr. Adrian Gonzalez, biomedical science major at The City College's Sophie Davis School of Biomedical Education/CUNY Medical School, has received a Congressional Black Caucus Spouses—General Mills Scholarship Award for academic excellence.

3. Ms. Julia Garzon, a graduate of the School of Architecture at The City College, has been awarded the City University Construction Fund's annual Charles E. Inniss Internship.

Congratulations to all of you.

H. COLLEGE HONORS: Chairman Badillo called on Trustee Ruiz who announced the following:

1. The City College's CUNY Institute for Research and the African Diaspora in the Americas and the Caribbean has been selected by the Rockefeller Foundation as a residency site for its Humanities Fellowships for the years 2000 to 2003. The Rockefeller Foundation Humanities Fellowships Grant enables The City College to support the work of scholars engaged in research on transitional issues, non-Western cultures, and the diverse cultural heritage of the United States.

I. GRANTS: Chairman Badillo presented for inclusion in the record the following report of Grants of $100,000 or above received by the University subsequent to the September 27, 1999 Board meeting:

THE CITY COLLEGE

A. $500,000 NASA to Khanbilvardi, R., Civ. Engineering, for "Integration of Research and Education in Remote Sensing & Environmental Climate Research."

B. $298,019 NYC DEP. to Bandosz, T., Chemistry, for "The Characterization and Study of Granular Activated Carbon."


D. $256,776 NIH to Weiss, D., Sci., for "Rise at City College."


F. $148,012 NSF to Couzis, A., Chem. Engineering, for "Selective Crystallization of Molecules on Solid Surfaces Using Engineering Self Assembled Monolayers As..."


H. $118,800 NIH to Rowland, S., Med. School-Admin., for "Physician Assistant Program."

I. $100,000 NSF to Gunner, M., Physics, for "Presidential Faculty Fellows Awards."

QUEENS COLLEGE

A. $197,218 U.S. DEPARTMENT OF EDUCATION to Rosa, C., The Dean of Students Office, for "Student Support Services at Queens College."

B. $117,000 NIH/NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES to Hersh, W., The
Chemistry and Biochemistry Department, for "Chiral Phosphorus Ligands and Antisense Oligonucleotides."

THE COLLEGE OF STATEN ISLAND

A. $199,202 NSF to Kress, M., for "Multisensory Calculus for Visually Impaired People."
B. $107,770 NIH to Lunney, M., for "NANDA, NiC & NOC Effects on Health Outcomes."

YORK COLLEGE

A. $197,103 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) to Schlein, J., Natural Sciences, for "Minority Collaborative for Science Education: Let's Do Science."

QUEENSBORO COMMUNITY COLLEGE

B. $248,525 U.S. DEPARTMENT OF EDUCATION to Parra, M., for "Student Support Services."

BOROUGH OF MANHATTAN COMMUNITY COLLEGE

B. $146,364 U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES to Lanzara, R. and Flannery, E., for "HCOP (Health Career Opportunity Program)."

NEW YORK CITY TECHNICAL COLLEGE

A. $719,132 NATIONAL INSTITUTES OF HEALTH to Squitieri, L., for "RISE: Center for Research, Learning, and Teaching."
B. $276,612 NYS EDUCATION DEPARTMENT to Gawkins, A., for "Tech Prep."
C. $137,000 U.S. DEPARTMENT OF EDUCATION to Falk, W., for "Child Care."

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

1. Let me also extend the Chancellery's congratulations to Md. Mizanoor R. Biswas on your continuing to represent, in a distinguished way, the students of this great University. We are very pleased that you are here.

2. I want to also echo the words of Chairman Badillo on the loss of Benno Schmidt's father. This has been an extraordinarily difficult few months for Trustee Schmidt having lost a mother, stepmother, and a father in just three months. Our hearts go out to him.

3. The Board of Regents met in Manhattan on October 19th to discuss the remediation policy that is very much in discussion, not only here at the University but in various communities around. Many of us participated in that spirited day-long set of hearings. Next week the Higher Education Committee of the Board of Regents will vote on that resolution, and that vote will indeed serve as a platform for the full vote of the Board of Regents which takes place on November 22nd.
4. Chairman Badillo and I had a very good meeting the end of last week with New York City Partnership President Robert Kiely. We were joined by Vice Chancellor Louise Mirrer, Kathryn Wylde, President of the New York Investment Fund, and Willa Appel, Executive Director of the New York Structural Biology Center. The purpose of the meeting was to ratchet up one level from where we are now the depth of the collaborations between this University and the Partnership, and I think that those discussions are going to lead to some structural relationships with the business communities in this great City, more so than what we have had before.

5. Chairman Badillo and I have completed our due diligence of canvassing some of the most prominent business and civic leaders in this City and I am pleased to announce that we have put together a Business Leaders Council of very prominent men and women in this City to help advise and moderate some of our thinking, and certainly to serve as advocates for this University. We will have our inaugural meeting with that group on November 10th.

6. I am delighted to have sent all of the Trustees and the presidents a list of actions that have been taken by the Administration and the Board, consistent with many of the suggestions in the Mayor's Task Force on The City University of New York and other actions as well, and that 26-statement set of actions is quite impressive for the short period of time that we have been working on some of these issues.

7. I am also pleased to announce that we have engaged the Pappas Group to review the organization of the Central Office in order to further strengthen our interaction with the campuses and to provide for greater efficiency and effectiveness in the manner in which we deploy our resources, and the manner in which we do business in this University. We await that report which I will receive some time in late November. Then we will take that report and see how we can use it to do any restructuring or changes in the manner in which we conduct our affairs here at the Central Office.

8. I have had yet another meeting with Chancellor Rudy Crew last week trying to push the notion of what I am calling a structural relationship between The City University of New York and the New York City public schools. We are focusing our energy, as you have heard me say before, on the College Now Program and in teacher education. We have gone yet another step and a project team has been put together on a very fast track. We expect that project team to report out within a few weeks on an actual plan for ubiquitously applying the College Now model to as many of the high schools as makes sense. There are, as you know, 213 high schools in the City of New York. We are in now approximately 73. Not only do we want to get to as many of those 213 high schools as appropriate, but we want to get more deeply embedded into the high schools starting at grade 9. I will report out as that takes fruit.

9. And, lastly, I am pleased to announce formally the reinstatement and enhancement of the Office of Executive Search and Evaluation. As you know, we have four presidential searches that are underway. Baruch, LaGuardia, and Queensborough have all been given their charges. I will be giving the charge to the Kingsborough Community College Presidential Search Committee at the end of this week. All of the consultants are in place. Korn/Ferry will be representing the Administration with respect to their consulting activities for the Baruch search, and the Association of Community College Trustees (ACCT) will be representing the Administration with respect to their consulting activities for the three community college searches that we are conducting. We are optimistic that these searches are on a fast track. We have jumped out of the box quickly here, as one of the problems in doing a presidential search is that if you don’t get into the market quickly you lose the opportunity to get the benefit of the very enriched pool, and we are certainly out there right at the height of the season. We expect with new leadership now in place in the University, and stability, that we will see some outstanding presidents appointed for no later than September of the year 2000.

The calendar items were considered in the following order:

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 through 9)
NO. 1. UNIVERSITY REPORT: RESOLVED, That the University Report for October 25, 1999 (including Addendum Items) be approved:

(a) ERRATA: Revise the following:

P-B. 2, 3, 5 APPOINTMENT OF PROFESORIATE STAFF, APPOINTMENT OF ANNUAL INSTRUCTIONAL STAFF MEMBERS WITH EQUIVALENCIES; AND PROMOTION IN PROFESSORIATE RANKS: All entries under these headings are withdrawn and hereby reentered under "HUNTER COLLEGE".

(b) ADDENDUM: Revised the following:

D. 5 GRADUATE SCHOOL AND UNIVERSITY CENTER – CHANGE IN SALARY AND FUNCTIONAL TITLE OF EXECUTIVE COMPENSATION PLAN PERSONNEL: The entry for Barbara Gliwa is withdrawn and hereby reentered under "THE CITY COLLEGE – CHANGE IN SALARY AND FUNCTIONAL TITLE OF EXECUTIVE COMPENSATION PLAN PERSONNEL": The current (salary) rate is revised to read "$102,749"; the previous (salary) rate is revised to read "$93,187".

D. 17 THE CITY COLLEGE – ACTION EFFECTING A LEGAL ORDER, ARBITRATOR'S AWARD OR SETTLEMENT AGREEMENT: The effective dates are revised to read 2/1/00 – 7/31/00, 9/1/00 – 1/31/01, and "8/1/01 – 8/31/01".

NO. 2. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for October 25, 1999 (including Addendum Items) be approved:

(a) ADDENDUM: Add the following:

PART A: ACADEMIC MATTERS
SECTION III: AFFILIATION AGREEMENTS

LEHMAN COLLEGE – AFFILIATION AGREEMENT FOR NEW YORK PRESBYTERIAN HOSPITAL:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute an affiliation agreement on behalf of Lehman College and New York Presbyterian Hospital to enable students enrolled in the College's Nursing program to obtain the appropriate clinical experience necessary for the completion of degree requirements. Neither party to this agreement is obligated to pay any monetary consideration to the other. The agreement is for a two-year period and shall include up to two two-year options for the college to renew in its best interest. The agreement shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Student experience at New York Presbyterian Hospital will fulfill the clinical training required for the Nursing program.

NO. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the regular Board meeting of September 27, 1999 be approved:

At this point Trustee Mastro left the meeting.

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

A. LEHMAN COLLEGE - TUTORING CENTER:

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 computer equipment for the Tutoring Center. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed
bidding pursuant to law and University regulations. Such contract shall be subject to approval as to form by the University Office of General Counsel; and be it further

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 audio-video equipment for the Tutoring Center. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. Such contract shall be subject to approval as to form by the University Office of General Counsel; and be it further

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 workstations for the Tutoring Center. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. Such contract shall be subject to approval as to form by the University Office of General Counsel; and be it further

RESOLVED, That the total of all such purchases shall not exceed an estimated cost of $128,000, chargeable to City Capital Budget, Project No. LM089-00.

EXPLANATION: This project will provide computers, audio-video equipment, and workstations for the Tutoring Center to provide students with one-on-one tutoring and group tutoring.

B. LEHMAN COLLEGE - CHILD CARE SERVICES:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of Lehman College for child care services to be provided through the Lehman College Student Child Care Center, Inc. Such purchase shall not exceed a total estimated cost of $120,000, for the initial one-year term, chargeable to FAS Code 217101408, during the fiscal year ending June 30, 2000. The contract shall include up to four one-year options for the University to renew in its best interest. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: This contract provides for child care services for approximately 73 (seventy-three) children of students enrolled at Lehman College.

C. LEHMAN COLLEGE - MULTI-MEDIA LANGUAGE LABORATORY:

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 a computerized audio-digital server system. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. Such contract shall be subject to approval as to form by the University Office of General Counsel; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize Lehman College to purchase computers, computer tables and chairs from various vendors under existing State of New York Contract Number PT00061 and General Services Administration Contract Numbers PC54685 and PC54283, pursuant to law and University regulations; and be it further

RESOLVED, That the total of all such purchases shall not exceed an estimated cost of $222,000, chargeable to City Capital Budget, Project Number LM088-00.

EXPLANATION: This project will provide a computerized audio-digital server system, computers, software and workstations to establish an Audio Language Laboratory for student and faculty use.
D. LEHMAN COLLEGE - MULTI-MEDIA RADIO COMMUNICATION CENTER:

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 equipment for a multi-media radio communication center. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. The contract shall be chargeable to City Capital Budget, Project Number LM090-00 for an amount not to exceed $232,000. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: This project will provide audio and video equipment to establish a radio workshop studio for the Mass Communication and Multilingual Journalism Programs. Mass Communications teaches courses in Audio Production, Advanced Audio Production, Broadcast Journalism, and Broadcast Programming and requires a Radio Studio/Workshop to prepare students to write and report radio news.

E. THE COLLEGE OF STATEN ISLAND - INFORMATION TECHNOLOGY:

RESOLVED, That the Board of Trustees of The City University of New York authorize The College of Staten Island to purchase computer cabling, installation and project management services from Digital Equipment Corporation under existing State of New York Contract Number PS00230, pursuant to law and University regulations; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize The College of Staten Island to purchase network switches and routers from Cisco Systems, Inc., under existing State of New York Contract Number PT00313, pursuant to law and University regulations; and be it further

RESOLVED, That the total of all such purchases shall not exceed an estimated cost of $830,000, chargeable to Capital Budget Project No. 144900.

EXPLANATION: The College of Staten Island, in collaboration with the Office of Instructional Technology and Information Services, has developed a Multi-Year Information Technology Plan to upgrade its network infrastructure for faculty, staff, and students. During Phase I of the plan, which is being completed, Building 1N, Building 2N, and the Library were upgraded. Phase II will include additional buildings namely Building 1A, Building 2A, Building 3A, and Building 3N. A component of this plan is to upgrade computer wiring throughout the campus. The wiring will include student computer laboratories as well as faculty and administrative offices, which will connect to a campus-wide backbone network. The new backbone will provide high-speed switching capabilities within the College and will facilitate electronic communication, access to the Internet, and provide sufficient capacity for other initiatives such as access to the College's e-mail servers, web servers, and various databases.

F. THE CITY UNIVERSITY OF NEW YORK (UNIVERSITY CONTRACTING OFFICE) - PURCHASE OF LIBRARY BOOKS:

RESOLVED, That the Board of Trustees of The City University of New York authorize the University Contracting Office to purchase shelf-ready books from Coutts Library Services, Inc., under existing State of New York Contract Number P052521, pursuant to law and University regulations. Such purchase shall not exceed a total estimated cost of $1,500,000, chargeable to the appropriate colleges' FAS Codes, during the fiscal year ending June 30, 2000.

EXPLANATION: The University anticipates purchasing 20,000 volumes under this new State contract, which will reduce the University's price for processing a volume from $20.00 to $2.32. Colleges will receive the books they have selected.

G. THE CITY UNIVERSITY OF NEW YORK (UNIVERSITY CONTRACTING OFFICE) - PURCHASE OF ACADEMIC TESTING SERVICES:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of the University Contracting Office to provide academic testing services. The contract
or contracts shall be awarded on the basis of best value to responsive and responsible Proposer(s) after public advertisement and sealed submission of proposals on a Request For Proposal, pursuant to law and University regulations. The solicitation and evaluation process shall be conducted by a University-wide Committee. The initial term shall be one year and the contract or contracts shall include up to four one-year options for the University to renew in its best interest. Such purchases shall not exceed a total estimated cost of $1,500,000, chargeable to appropriate FAS Codes. The contract or contracts shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Pursuant to Board policy, Cal. No. 5.A., September 27, 1999, the University will acquire the services of one or more testing organizations which will develop suitable tests to evaluate whether students entering the University require remediation and to evaluate when students may exit remediation.


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

A. BARUCH COLLEGE - JOINT JD/MBA WITH NEW YORK LAW SCHOOL:

RESOLVED, That the existing program in Business Administration leading to the Master of Business Administration degree to be offered at Baruch College be approved for joint registration with the JD program at New York Law School, effective January, 2000, subject to financial ability.

EXPLANATION: This joint registration involves a technical registration matter that is required by the State Education Department. Since 1978, Baruch College and New York Law School have participated in an ongoing arrangement that allows a small number of interested students from either school to combine the JD at New York Law with the MBA at Baruch College. Therefore, this is not so much a proposal to implement a new program but rather to ratify and register a joint program that has been in existence for many years, and that has been found to serve the goals of students at both institutions. This technical registration will not require the use of any additional resources by either institution.

B. THE COLLEGE OF STATEN ISLAND - M.A. IN HISTORY:

RESOLVED, That the program in History leading to the Master of Arts degree to be offered at The College of Staten Island be approved, effective September, 2000, subject to financial ability.

EXPLANATION: The purpose of the proposed program is to provide students with graduate level study in history and the opportunity to complete a Master of Arts degree. The program is designed to provide a rigorous yet flexible curriculum that will allow for a breadth and balance of study between scholarly specialization and the application of history within a global and cross-cultural context to fields of study such as law, politics, education, and social services. Thus, the proposed program is intended to fulfill the needs of several specific populations of students: pre-Ph.D. candidates, school teachers, and other professionals, as well as persons with simply an interest in history.

The College of Staten Island currently has in place an adequate number (16) of experienced and accomplished full-time history faculty to staff the proposed program who are broadly constituted with regard to their institutions of graduate study, research, and teaching interests. Thus, the proposed program relates in an efficient way to the College's mission, the faculty's strength and size, and community needs.
NO. 6. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved:

A. QUEENSBOROUGH COMMUNITY COLLEGE - AMENDMENT TO THE GOVERNANCE PLAN:

RESOLVED, That the proposed amendment adding a new Article VI to the Queensborough Community College Governance Plan, establishing a College Advisory Planning Committee be approved, to read as follows:

Article VI COLLEGE ADVISORY PLANNING COMMITTEE

The purpose of the College Advisory Planning Committee shall be to act as the primary planning body for Queensborough Community College. In this capacity, it is envisioned that the leadership of the various constituencies on campus will meet and discuss items concerning the state of the College and ways the College can best achieve its stated mission, goals, and objectives. Committee agenda items may be suggested to the Committee by any other constituency covered in the Governance Plan. The powers of this Committee shall not infringe upon the powers and authority of any of the constituencies, organizations or committees operating under either the Governance Plan of Queensborough Community College or the Bylaws of the Board of Trustees.

The membership of this Committee shall consist of the President as Chair, vice president(s), full dean(s), the Faculty Executive Committee, the Academic Senate Steering Committee, and the presidents of Day and Evening Student Governments. In the event of one combined student government, the president and executive vice president of that student government shall be included in the committee membership. The Committee shall meet at least twice a semester or when agenda items are proposed by or upon request of one of its constituent bodies.

and be it further

RESOLVED, That the current Articles VI through VIII be renumbered Articles VII through IX.

NOTE: Matter underlined is new. (See Appendix E)

EXPLANATION: The proposed amendment to the Queensborough Community College Governance Plan establishes a College Advisory Planning Committee to act as the primary planning body for Queensborough Community College, with the leadership of the various constituencies meeting to discuss items concerning the state of the College and the ways to best achieve its mission, goals, and objectives. The Advisory Planning Committee will replace the Joint Planning Committee convened as an ad hoc committee by the President to focus on strategic planning. The amendment has been approved by the faculty in accordance with the referendum procedure specified in the Governance Plan, and is recommended by the College President. The College’s amendment procedure provides for referenda of both faculty and students, with 50% participation required. If only one group achieves the 50% participation, passage is determined by that group. In the referendum on this amendment, more than 50% of the faculty voted, with 129 of 142 (91%) voting for adoption of the amendment. In the student referendum, while 233 of the 275 (85%) students voted for adoption, only 3% of the students participated. The faculty vote therefore determined that the amendment was approved in the referendum process.
B. AMENDMENTS TO THE BYLAWS OF THE BOARD OF TRUSTEES:

RESOLVED, That Section 6.1 of the Bylaws be amended to read:

Section 6.1. INSTRUCTIONAL STAFF. The instructional staff shall consist of the persons employed in the following titles:

Chancellor
Deputy chancellor
Sr. vice chancellor for facilities, planning, construction, and management
Vice chancellor
University administrator
University associate administrator
University assistant administrator
President
Vice president
Assistant vice president
University dean
University associate dean
University assistant dean
Dean
Associate dean
Assistant dean
Administrator
Associate administrator
Assistant administrator
Distinguished professor
Professor
Associate professor
Assistant professor
Medical professor (basic sciences)
Associate medical professor (basic sciences)
Assistant medical professor (basic sciences)
Medical lecturer
Adjunct medical professor (basic sciences)
Adjunct associate medical professor (basic sciences)
Adjunct assistant medical professor (basic sciences)
Adjunct medical lecturer
Medical professor (clinical)
Associate medical professor (clinical)
Assistant medical professor (clinical)
Adjunct medical professor (clinical)
Adjunct associate medical professor (clinical)
Adjunct assistant medical professor (clinical)

Visiting professor
Visiting associate professor
Visiting assistant professor
Adjunct professor
Adjunct associate professor
Adjunct assistant professor
Adjunct lecturer
Lecturer (full-time)
Lecturer (part-time)
Instructor
Instructor (nursing science)
Research associate
Research assistant
Clinical assistant
Senior registrar
Registrar
Associate registrar
Assistant registrar
Registrar’s assistant
Chief college laboratory technician
Senior college laboratory technician
College laboratory technician
Chief college physician
College physician
Higher education officer
Higher education associate
Higher education assistant
Assistant to higher education officer
[Higher education aide]
Business manager
Assistant business manager
Assistant to business manager
Placement director
Education and vocational counselor
Continuing education teacher

and in the hunter college elementary school and hunter college high school
RESOLVED, That the Bylaws be amended by the deletion of Section 11.13.a. as follows:

[Section 11.13.a. HIGHER EDUCATION AIDE.

A. Position Definition:

A higher education aide shall perform under the supervision of a higher education officer, university of college administrator/dean or other appropriate administrator, such administrative duties as may be assigned.

B. Qualifications:

For appointment as a higher education aide, a candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. The candidate must possess a baccalaureate degree or equivalent experience and must show potential for significant achievement and growth.

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

EXPLANATION: The title Higher Education Aide was eliminated effective January 1, 1993 according to the 1990-1996 PSC/CUNY collective bargaining agreement. The purpose of the amendment to Sections 6.1 and 11.13.a. is to update the Bylaws to reflect this change.

C. AMENDMENTS TO THE BYLAWS OF THE BOARD OF TRUSTEES:

RESOLVED, That effective November 1, 1999, Section 11.14 of the Bylaws be amended to read:

Section 11.14. ASSISTANT TO HIGHER EDUCATION OFFICER.

A. Position Definition:

An assistant to higher education officer shall, generally under the supervision of a higher education officer or university dean or college dean, perform such administrative duties as may be assigned to him/her.

B. Qualifications:

For appointment as an assistant to higher education officer, a candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. [He/she must have had at least two years of experience in higher education or appropriate graduate work generally or in the area of specialization to which he/she will be assigned.] He/she must show potential for significant achievement and growth. He/she must possess a baccalaureate degree.
NOTE: Matter underlined is new; matter in brackets is deleted.

EXPLANATION: In consultation with the Council of Presidents, the Vice Chancellor for Faculty and Staff Relations undertook a review of the higher education officer series. The change in the position definition is proposed to reflect the fact that, while assistants to higher education officer are, as a general rule, supervised by the higher education officers, university deans or college deans, different kinds of supervision are appropriate in particular situations. The change in qualifications is proposed to provide the colleges with increased flexibility to hire qualified individuals to this entry level position without requiring years of experience in higher education or appropriate graduate work.

D. AMENDMENTS TO THE BYLAWS OF THE BOARD OF TRUSTEES:

RESOLVED, That effective November 1, 1999, Section 11.15 of the Bylaws be amended to read:

Section 11.15. HIGHER EDUCATION ASSISTANT.

A. Position Definition:

The duties of a higher education assistant are generally to serve as an assistant to one of the major educational officers of a college or the university with responsibility for a limited area of planning, research or professional and/or administrative duties as may be assigned.

B. Qualifications:

For appointment as higher education assistant, the candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least four years of experience in one or more related areas [of higher education] and be sufficiently adaptable to apply such experience to the field in which his/her responsibility will lie. He/she must possess at least a baccalaureate degree and show definite potential for significant achievement and growth in the area to which he/she is assigned. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the four years of experience in determining qualifications for the position of higher education assistant.

and be it further

RESOLVED, That effective November 1, 1999, Section 11.16 of the Bylaws be amended to read:

Section 11.16. HIGHER EDUCATION ASSOCIATE.

A. Position Definition:

The duties of a higher education associate are:

a. To serve as deputy for a higher education officer [ ] or

b. To assume administrative responsibility, in most instances under the general supervision of a university or college dean for some major area of university or college activity, such as institutional research, campus planning and development, coordination of relations with community and civic groups, supervision and coordination of all educational data processing, coordination of applications to federal, state, and private foundations for educational grants, direction of specific specialized campus activities [ ] or

c. To function as executive assistant to the chancellor or president [ ] or
d. To develop some major aspect of new programs.

B. Qualifications:

For appointment as higher education associate, a candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least six years of related experience [in the area of higher education in which his/her responsibility will lie]. He/she must be sufficiently well versed in the overall functions of the university to be able to serve as deputy for a higher education officer, or to carry full responsibility, in most instances under the general supervision of a university or college dean for some major area of university or college activity. He/she must possess at least a baccalaureate degree and show evidence of exceptional achievement in his/her chosen field as well as potential for future growth. An advanced degree above the baccalaureate degree may be required as appropriate to perform the duties of a particular position. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the six years of experience in determining qualifications for the position of higher education associate.

and be it further

RESOLVED, That effective November 1, 1999, Section 11.17 of the Bylaws be amended to read:

Section 11.17. HIGHER EDUCATION OFFICER.

A. Position Definition:

The duties of a higher education officer are:

a. To assume full administrative responsibility for some major area of university or college activity, such as institutional research, campus planning and development, coordination of relations with community and civic groups, supervision and coordination of all educational data processing, coordination of applications to federal, state, and private foundations for educational grants, direction of specific specialized campus activities [ ] or

b. To function as executive assistant to the chancellor or president [ ] or

c. To develop some major aspect of new programs.

B. Qualifications:

For appointment as higher education officer, the candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least eight years of related experience [in the area of higher education in which his/her responsibility will lie]. He/she must be sufficiently well versed in the overall functions of a university to be able to assume full responsibility, answerable as a general rule to his/her college president (or to the chancellor, deputy chancellor or vice chancellor if he/she is assigned to a university position) for some major area of university or college activity. He/she must possess at least a baccalaureate degree and show evidence of exceptional achievement in his/her chosen field as well as potential for future growth. An advanced degree above the baccalaureate degree may be required as appropriate to perform the duties of a particular position. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the eight years of experience in determining qualifications for the position of higher education officer.

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

EXPLANATION: In consultation with the Council of Presidents, the Vice Chancellor for Faculty and Staff Relations undertook a review of the higher education officer series, including the selection and appointment process and the
qualifications for positions in the series. In the area of qualifications, a number of proposals were made with the support of the Council of Presidents. These changes require amendment of the Bylaws.

The changes in the position definition for the title higher education assistant are proposed to reflect the fact that, while, in general, employees in this title are supervised by major educational officers of a college or the university, different kinds of supervision are appropriate in particular situations and that the scope of their responsibilities has broadened since the positions were originally defined. The changes in the position definitions for the titles of higher education associate and higher education officer clarify that the reporting relationships specified apply in general, with exceptions as appropriate, and that the enumerated duties are disjunctive.

The changes in qualifications are proposed to provide the colleges with increased flexibility to hire qualified individuals who have a baccalaureate degree and a combination of education beyond the baccalaureate degree and skills and years of experience. In addition, under the proposed changes in qualifications, it will be possible to require an advanced degree for the titles higher education associate and higher education officer when such a degree is appropriate for the position.

The Office of Faculty and Staff Relations will promulgate guidelines for the implementation of these Bylaw changes.

E. THE CITY UNIVERSITY OF NEW YORK – REVISION OF PROCEDURES RELATING TO THE HIGHER EDUCATION OFFICER SERIES, EFFECTIVE NOVEMBER 1, 1999:

RESOLVED, That the Board of Trustees of The City University of New York adopts the recommendations contained in the document entitled “Revisions to the Higher Education Officer Series,” effective November 1, 1999; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize the Chancellor to delegate to each college president individually such responsibility, as the Chancellor deems prudent for the purpose of enforcing the Bylaws and policies of the Board of Trustees, to implement the recommendations contained in that document, including a) review of the qualifications of candidates for employment in positions in the higher education officer series, and b) recommendation to the Board for approval of the rate of pay for employees in higher education series titles; and be it further

RESOLVED, That the college president shall be responsible for certifying to the Board of Trustees that all such delegated personnel actions reported in the Chancellor’s and University Reports are in compliance with the Bylaws and policies of the Board of Trustees.

NOTE: See Appendix F

EXPLANATION: The New York State Education Law vests the Board of Trustees with the responsibility for insuring the proper classification of positions within the University, for ascertaining the qualifications of individuals to serve in positions established by the Board, and for appointing persons to those positions at rates of pay in conformance with Board policy and the contractual obligations of the University. The Board of Trustees has vested in the Chancellor and the Vice Chancellor for Faculty and Staff Relations the responsibility for ensuring compliance by the colleges with Board policies for position classification, search procedures, appointment, review of qualifications, and determination of pay for instructional staff in the higher education officer series, and for advising the Board at each of its meetings of the propriety of such personnel actions.

The Office of Faculty and Staff Relations undertook a review of the higher education officer series in consultation with the Council of Presidents earlier this year. That body approved the "Revisions to the Higher Education Officer Series" on April 5, 1999 and recommended their presentation to the Board of Trustees. These revisions were calendared for the June 28, 1999 Board meeting and tabled by the Board of Trustees at that time. In September 1999, the University consulted with the Professional Staff Congress about the proposed changes and made some modifications to the document in response to their recommendations.
The intent of these revisions and resulting resolutions is to provide the presidents of the colleges increased responsibility and flexibility in recruiting, appointing, and compensating staff in the higher education officer series subject to certain limitations. Although responsibility for classification will continue to reside in the Office of the Vice Chancellor for Faculty and Staff Relations, responsibility for many other aspects of the process may be delegated to the colleges, pursuant to these revisions. The Office of Faculty and Staff Relations will promulgate appropriate guidelines and procedures to implement these revisions and will periodically review and audit the colleges to ensure compliance with applicable Bylaws, policies and procedures of the Board of Trustees.

At this point Trustee Mastro rejoined and then left the meeting.

F. THE CITY UNIVERSITY OF NEW YORK - GUIDELINES FOR PRESIDENTIAL SEARCHES:

RESOLVED, That the Board's Guidelines for Presidential Searches be amended as follows:

INTRODUCTION

The Education Law of the State of New York invests in the Board of Trustees/CUNY the authority to appoint and dismiss an appointed executive when warranted.

"The Board of Trustees shall appoint the Chancellor of The City University who shall be the chief educational and administrative officer of The City University and who shall serve at the pleasure of the Board of Trustees."1 "The Board of Trustees shall establish positions, departments, divisions and faculties; appoint and in accordance with the provisions of law fix salaries of instructional staff and non-instructional employees therein;..."2

The City University of New York is an Affirmative Action-Equal Opportunity Employer and shall seek to identify qualified women and minorities for consideration by the Search Committee.

THE PROCESS

When a vacancy occurs, or is certain to occur, the Chairperson of the Board of Trustees shall, upon consultation with the Chair of the Board Committee on Faculty, Staff and Administration and the Chancellor, establish a Search Committee to seek a new president.

Simultaneously, should circumstances warrant, the Chancellor shall recommend an individual to the Board for appointment as interim president until such time as a president is appointed. Appointment as interim president will typically be for a period of one academic year. If an appointment exceeds this period, the Chancellor shall notify the Board Committee on Faculty, Staff and Administration of the reasons requiring an extension.

An interim president shall not be a candidate for the presidency for the same institution for which he/she is interim president.

A primary responsibility of the Search Committee shall be to attract and recruit highly qualified candidates, emphasizing to them the advantages of working at CUNY and the benefits of living in New York City. Members of the Board, the Chancellor and presidents, the faculty, staff, and students of the University, as well as community and academic leaders from outside the University may submit nominations to the Search Committee.

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1 NYS Education Law, Article 125, Section 6206(5) last sentence (See Chancellor Search Guidelines)
2 NYS Education Law, Article 125, Section 6206(7.a.)
Composition of the Committee:

In order to provide for adequate participation by representatives of the institution in which a presidential vacancy exists, the Chairperson of the Board shall establish a Presidential Search Committee and designate the Chairperson of the Search Committee. The Search Committee shall be composed of the following members:

Board Members: at least three members of the Board of Trustees, appointed by the Chairperson of the Board. The Chairperson, and the Vice Chairperson of the Board in the absence of the Chairperson of the Board, shall serve as members of the Search Committee, and accordingly shall be entitled to vote. Whenever possible, one Board member appointed to a Search Committee should reside in the same borough as the campus seeking a president.

Faculty: three faculty members from the college, elected as determined by the appropriate faculty governance body of the college concerned. Only faculty as defined in the Bylaws may serve as faculty representatives (members) on the Search Committee or vote in the election for such faculty representatives.

Students: two students from the college, as recommended by the president and appointed by the Chairperson of the Board, generally, but not necessarily, the presidents of the student governments, or if there is only one student government, another elected student leader, provided, however, that the president should consult the appropriate student governance bodies on the selection.

Alumni: one alumnus from the college, generally, but not necessarily, the president of the alumni organization of the college concerned. Where there is no formal alumni organization, the Chancellor may recommend an active alumnus to be appointed by the Chairperson of the Board to serve with the Search Committee.

President: the president of one of the colleges of the University, appointed by the Chairperson of the Board.

Internal Staffing and/or Outside Consultants:

Staff support shall be provided to the Search Committee by the Office of Executive Search and Evaluation (OESE). Representatives from OESE, chosen to serve as indicated, shall be selected by the Chairperson of the Board and shall report to the Search Committee. Where deemed necessary selected individuals including outside firms may be called upon to provide advice in matters pertaining to the search.

PROCEDURES

Analysis of Campus Needs and Priorities:

[Soon after the formation of the Search Committee, the Chairperson of the Search Committee and the Chairperson of the Board,] in consultation with the Chancellor[,] will designate an individual(s) and/or consultant(s) to visit the campus, confer with appropriate constituencies, and prepare a report for the Search Committee and the Chancellor, indicating discreet needs and priorities that will help in the preparation of an effective advertisement for the position.

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3 Faculty defined as having "faculty rank" or "faculty status" (based on Sections 8.1, 8.2, and 6.2(a), and 6.3(a) of the Board Bylaws). Under the Board Bylaws, faculty primarily includes those in the titles of professor, associate professor, assistant professor, and instructors and lecturers (after reappointment for a third year). The President, vice-presidents, and deans have faculty rank but shall not participate as faculty. College Laboratory Technicians and HEQ series personnel do not hold faculty rank or faculty status.

4 If there is no official faculty governance body established by the college's approved governance plan, then the faculty representatives to the Search Committee shall be elected by the faculty members of the college governance body.
Announcing the Vacancy and Processing the Applications:

Announcements of a presidential vacancy shall be placed in the appropriate media, and shall be communicated to educational and related institutions through correspondence and through targeted recruitment based on the findings of the pre-search report.

All applications, with supporting materials as requested in the job description, are to be sent to:

[Secretary of the Board of Trustees] Presidential Search Committee
The City University of New York
535 East 80th Street, Room 302
New York, NY 10021

Screening of Applicants:

The Search Committee shall reduce the applicant pool to approximately seven individuals. The candidates will be interviewed by the Search Committee upon the stated request of a minimum of five members of the Search Committee, at least three of whom must be members of the Board.

The Chancellor may place before the Search Committee, for additional review, the curriculum vitae of a small number of individuals eliminated by the Committee or the curriculum vitae of the individuals who have come to the Chancellor's attention after completion of the initial screening process.

At the conclusion of the preliminary interviews, the Search Committee will select three or four to visit the college. If the Committee does not arrive at a consensus or reaches an impasse, Board members of the Search Committee will select the candidates who will visit the campus.

Campus Visits:

Arrangements will be made for those candidates to meet with groups or individuals on the campus. Groups of not more than 10 persons shall be selected by the faculty, students, chairpersons, alumni/foundations/college-related organizations, staff, and senior administrative staff of the college. Meetings with any other constituency or for any other purpose must be approved by [the Chair of the Search Committee, who may consult with] the Chancellor. Each campus group shall make a concerted effort to select individuals from as wide an array of its constituency as possible. No person should sit with more than one representative group. (Example: A professor who chairs a department should not sit with both a faculty group and a group of chairpersons.) The college representatives thus selected will meet with all candidates invited to the campus.

Each campus group shall present its view in a brief report to the Chancellor and the Chairperson of the Search Committee within three days of the last campus visit.

Search Committee Recommendations:

After the campus visits, the written conclusions of the Search Committee, normally recommending at least two but no more than three top candidates, shall be submitted to the [Chairperson of the Board of Trustees and] the Chancellor for review and consideration.

[Final Interview:

The candidates recommended by the Search Committee shall be interviewed by the entire Board at some time prior to the next scheduled Board meeting, at which time a choice will be made in executive session.]
Chancellor's Recommendations:

The Chancellor, after reviewing the written assessments of the Search Committee, the views of the campus groups interviewing the candidates, and soliciting such other information as may be necessary, shall prepare recommendations for the Board.

Appointment:

As soon as possible after the Board has chosen its candidate, the Chancellor will notify the candidate in writing of the Board's decision. A formal letter of appointment, together with the Board resolution, which delineates the terms and conditions of employment, will be sent to the candidate as soon as he/she accepts the position.

Exceptions to these Guidelines:

Special situations may occur when, for example, there is a candidate of proven distinction from within the University, a former University executive, or a candidate of national prominence from outside the University, or an exceptional candidate from a recent CUNY presidential search. Under such circumstances, the Board Chair and the Chancellor, after full consultation with the Chair of the Board Committee on Faculty, Staff and Administration and leadership of campus constituencies, may decide to suspend these guidelines for a specific presidential search and substitute a shortened process. Trustee John Morning voted NO; Trustee Michael C. Crimmins ABSTAINED.

NOTE: Matter underlined is new; matter in brackets is deleted. (See Appendix G)

NO. 10. COMMITTEE ON STUDENT AFFAIRS AND SPECIAL PROGRAMS:

Report of Committee Chairman Crimmins:

Although there were no action items before the Student Affairs Committee this month, the Committee received an in-depth report on the University's recruitment of new students. The Office of Admission Services, which is located on West 31st Street, provides comprehensive student admission services for all 17 undergraduate colleges. The Office's walk-in center is visited by approximately 30,000 potential students each year, and logs in more than 350,000 inquiries annually.

The Committee was briefed on a number of new initiatives with the New York City Board of Education, and other recruitment strategies, which are either in place or being planned.

The adopted 1999-2000 State budget included two very important provisions for Student Services. First, it included an additional allocation of $1.3 million for childcare. The University will use the additional funds to expand services and to serve more children.

In addition, CUNY has received permission to pilot a part-time financial aid program beginning in fall 2000. Students who enrolled as first-time students in fall 1998 and thereafter and have accumulated 24 or more credits with at least a 2.0 GPA will be eligible. Students enrolled for at least six but less than 12 hours, will receive an award calculated on a percentage of the award the student would have received if attending full-time. The University believes that this program will improve retention and graduation of students who are unable to carry a full-time course-load.

Finally, the CUNY-sponsored bill which indemnifies students who serve on University committees such as student discipline, academic senate, etc., was passed into law. This represents a significant benefit for students.

At this point Trustee Mastro rejoined the meeting.
NO. 7. COMMITTEE ON FACILITIES, PLANNING, AND MANAGEMENT: RESOLVED, That the following items be approved:

A. LEHMAN COLLEGE - THREE STEAM TURBINE-DRIVEN CHILLERS FOR THE MECHANICAL INFRASTRUCTURE UPGRADE PROJECT:

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 and deliver three steam turbine-driven chillers. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. The contract cost shall be chargeable to the State Capital Construction Fund, Project No. CA032-794 for an amount not to exceed $1,900,000. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: This contract will replace the existing three steam turbine-driven chillers at the College. The Dormitory Authority of the State of New York will install these chillers under separate contract.

B. NEW YORK CITY TECHNICAL COLLEGE - NEW ENTRANCE DOORS:

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 New York City Technical College to purchase and install new entrance doors. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. The contract cost shall be chargeable to the State Capital Construction Fund, Project No. NY073-096, for an amount not to exceed $200,000. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The existing nineteen exterior entrance doors at three locations in the Namm Commerce Center and Allied Health Center buildings require replacement. The new entrance doors will substantially reduce energy costs, improve safety and fully comply with the Americans with Disabilities Act (ADA) guidelines.


At this point Trustee Mastro left the meeting.

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

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<td>MEDGAR EVERS COLLEGE</td>
<td>Doctor of Humane Letters</td>
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<td>Rev. Gardner C. Taylor</td>
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<td>Ms. Sadie Feddoes</td>
<td>Doctor of Humane Letters</td>
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<tr>
<td>Iyanla Vanzant, Esq.</td>
<td>Doctor of Humane Letters</td>
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(To be awarded at the December 1, 1999, Convocation)
A. NOTICE OF AMENDMENT TO THE BYLAWS OF THE BOARD OF TRUSTEES - ARTICLE IV (4.1. AND 4.2.), ARTICLE VI (6.1., 6.5., AND 6.6.), ARTICLE X (10.1. AND 10.2.) AND ARTICLE XI (11.2., 11.3., AND 11.4.):

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

RESOLVED, That Section 4.1 of the Bylaws be amended to read:

ARTICLE IV - THE COUNCIL OF PRESIDENTS

Section 4.1. THE COUNCIL OF PRESIDENTS.

There shall be a council of presidents composed of the chancellor, as its permanent chairperson, [the deputy chancellor, and] the presidents of the several colleges and such senior university staff as the chancellor may designate.

and be it further

RESOLVED, That Section 4.2 of the Bylaws be amended to read:

Section 4.2. FUNCTIONS OF THE COUNCIL OF PRESIDENTS.

To insure unified and cooperative leadership in the city university, it shall be the function of the council:

a. To advise the chancellor with respect to the formulation and periodic revision of a coordinated [and reasonably complete] master plan for a system of public higher education for the city of New York and to indicate for each constituent institution its specific functions in this [city-wide] plan [of higher education].

b. To recommend to the chancellor [present to the board recommendations of scope,] procedures[,] and policies that affect more than one of the constituent colleges.

c. To recommend to the chancellor [board] plans for the development of [total] physical properties which will further the general educational program of the university.

d. To advise the chancellor concerning the operating and capital budgets of the entire [college] university system.

The president of each collegiate unit is specifically charged with the administration of his/her own institution and in this capacity he/she is responsible directly to the chancellor and through the chancellor to the board. The Board and any president may consult directly with each other on any issue of institutional importance.

and be it further
RESOLVED, That Section 6.1 of the Bylaws be amended to read:

ARTICLE VI - INSTRUCTIONAL STAFF

Section 6. 1. INSTRUCTIONAL STAFF.

Chancellor
Executive vice chancellor
Chief operating officer
[Deputy chancellor]
Sr. vice chancellor [for facilities, planning, construction, and management]
Vice chancellor
University administrator
University associate administrator
University assistant administrator
President
Vice president
Assistant vice president
University dean
University associate dean
University assistant dean
Dean
Associate dean
Assistant dean
Administrator
Associate administrator
Assistant administrator
Distinguished professor
Professor
Associate professor
Assistant professor
Medical professor (basic sciences)
Associate medical professor (basic sciences)
Assistant medical professor (basic sciences)
Medical lecturer
Adjunct medical professor (basic sciences)
Adjunct associate medical professor (basic sciences)
Adjunct assistant medical professor (basic sciences)
Adjunct medical lecturer
Medical professor (clinical)
Associate medical professor (clinical)
Assistant medical professor (clinical)
Adjunct medical professor (clinical)
Adjunct associate medical professor (clinical)
Adjunct assistant medical professor (clinical)
Visiting professor
Visiting associate professor
Visiting assistant professor
Adjunct professor
Adjunct associate professor
Adjunct assistant professor
Adjunct lecturer
Lecturer (full-time)
Lecturer (part-time)
Instructor
Instructor (nursing science)
Research associate
Research assistant
Clinical assistant
Senior registrar
Registrar
Associate registrar
Assistant registrar
Registrar's assistant
Chief college laboratory technician
Senior college laboratory technician
College laboratory technician
Chief college physician
College physician
Higher education officer
Higher education associate
Higher education assistant
Assistant to higher education officer
[Higher education aide]
Business manager
Assistant business manager
Assistant to business manager
Placement director
Education and vocational counselor
Continuing education teacher

and in the hunter college elementary school and hunter college high school
RESOLVED, That Section 6.5 of the Bylaws be amended to read:

Section 6.5. APPOINTMENTS WITHOUT TENURE.

Nothing contained in this article shall be construed as conferring or permitting tenure, or service credit toward the achievement of tenure in the positions of chancellor, [deputy chancellor,] executive vice chancellor, chief operating officer, sr. vice chancellor [for facilities, planning, construction, and management,] vice chancellor, [deputy vice chancellor for management and budget,] university administrator, university associate administrator, university assistant administrator, president, vice president, assistant vice president, university dean, university associate dean, university assistant dean, dean, associate dean, assistant dean, administrator, associate administrator, assistant administrator, director of campus schools, department chairperson, chief librarian, principal, supervisor, distinguished professor, medical lecturer, adjunct medical professor (basic sciences), adjunct associate medical professor (basic sciences), adjunct associate medical professor (clinical), adjunct assistant medical professor (clinical), adjunct assistant medical professor (clinical), adjunct medical lecturer, visiting professor, visiting associate professor, visiting assistant professor, adjunct professor, adjunct associate professor, adjunct assistant professor, adjunct lecturer, higher education officer, higher education associate, higher education assistant, assistant to higher education officer, higher education intern research associate, research adjunct, research assistant, clinical assistant, lecturer (full-time), lecturer (part-time), instructor appointed after October 1, 1968; business manager, assistant business manager, assistant to business manager, continuing education teacher, any position in the early childhood centers programs, or any other instructional positions not included on the permanent instructional staff, except that prior service as a full-time lecturer or lecturer (full-time) may be considered toward the award of tenure to persons in a title on the permanent instructional staff. Appointment to any such non-tenure bearing position, or removal therefrom, however, shall not deprive the person so appointed or removed of tenure in the highest position on the staff held with tenure prior to his/her appointment to such office, or conjointly with such office, nor shall such appointment or removal deprive any person of service credit toward the achievement of tenure under the provision of this article. [All persons appointed chancellor, deputy chancellor, president, sr. vice chancellor for facilities, planning, construction, and management, vice chancellor, deputy vice chancellor for management and budget, vice president, university dean, university associate dean, university assistant dean, dean, associate dean, assistant dean, director of campus schools, or principal, if not already appointed to a position on the permanent instructional staff, may be appointed to an instructional position.]

and be it further

RESOLVED, That Section 6.6 of the Bylaws be amended to read:

Section 6.6. APPOINTMENTS TO THE INSTRUCTIONAL STAFF-NOTICES.

a. All appointments to the instructional staff, except as otherwise provided, shall be made by the board upon the recommendation of the [president] chancellor.
b. Except for the appointment of persons whose sole educational duties shall be administrative, all original appointments to the instructional staff shall be made to a department. All appointments shall be for one year or less except that the board may, in appropriate instances, make appointments for a period not exceeding two years.

c. In the case of the appointment of a chancellor, [deputy chancellor] executive vice chancellor, chief operating officer, sr. vice chancellor [for facilities, planning, construction, and management], vice chancellor, [deputy vice chancellor for management and budget,] university administrator, university associate administrator, university assistant administrator, president, vice president, assistant vice president, university dean, university associate dean, university administrator, or principal, the affirmative vote of a majority of all members of the board shall be required. In the case of the removal of a chancellor or a president the affirmative vote of the majority of all members of the board shall be required. In extraordinary circumstances, following consultation with the Chair and Vice Chair and notification to the Board, where time permits, the chancellor may suspend a president, and appoint an interim president, subject to the approval of the board at its next meeting. Removals from appointment as [deputy chancellor,] executive vice chancellor, chief operating officer, sr. vice chancellor [for facilities, planning, construction, and management,] vice chancellor, [deputy vice chancellor for management and budget,] university administrator, university associate administrator, university assistant administrator, university dean, university associate dean, or university assistant dean may be made by the chancellor. Removals from appointment as vice president, assistant vice president, dean, associate dean, assistant dean, administrator, associate administrator, assistant administrator, or principal may be made by the president responsible for the educational unit involved.

and be it further

RESOLVED, That Section 10.1 of the Bylaws be amended to read:

**ARTICLE X - THE [UNIVERSITY STAFF] CENTRAL OFFICE**

Section 10.1. THE [UNIVERSITY STAFF] CENTRAL OFFICE.

There is hereby established as an educational unit under the board that portion of the city university of New York which is administered centrally by the chancellor, either directly or through staff designated by and [or a deputy chancellor, sr. vice chancellor for facilities, planning, construction, and management, vice chancellor, deputy vice chancellor for management and budget, university administrator, university associate administrator, university assistant administrator, or university dean] directly responsible to him/her. Such educational unit shall be known as the "[university staff]" central office" and shall consist of the central office staff and the staff of such other programs as are not otherwise provided for and which are not part of any of the existing senior or community colleges under the jurisdiction of the board. Persons holding central office positions [on the university staff] shall [, for the purposes of public reference,] be deemed to hold positions in the city university of New York.

and be it further

RESOLVED, That Section 10.2 of the Bylaws be amended to read:

[Section 10.2. UNIVERSITY STAFF REVIEW COMMITTEE.

a. There shall be a university staff review committee consisting of the deputy chancellor and the vice chancellors. The chairperson of the committee shall also be the deputy chancellor.

b. This committee shall receive recommendations from the respective department supervisors relating to the university staff as provided in section 10.1. as to appointments, reappointments, reappointments with tenure, promotions, and compensation. It shall recommend action thereon to the chancellor. The chancellor shall consider such recommendations in making his/her own recommendations to the board.]
and be it further

RESOLVED, That Section 11.2 be amended to read:

ARTICLE XI - DUTIES AND QUALIFICATIONS OF THE ADMINISTRATIVE OFFICERS AND MEMBERS OF THE INSTRUCTIONAL STAFF

Section 11.2. CHANCELLOR.

A. Position Definition:

The chancellor shall be appointed by and report to the board. He/she shall be the chief executive, educational and administrative officer of the City University of New York and [subject to the reservations set forth in paragraphs "f" and "i" below,] the chief educational and administrative officer of the senior and community colleges and other educational units and divisions [in New York City] for which the board acts as trustees. He/she shall be the chief administrative officer for the board and shall implement its policies and be the permanent chairperson of the council of presidents with the right and duty of exercising leadership in the work of the council. [Within such educational and administrative fields,] The chancellor shall have the following duties and responsibilities:

a. To initiate, plan, develop and implement institutional strategy and policy [To report to the board his/her recommendations for consideration or action] on all educational and administrative issues affecting the university, including to prepare a comprehensive overall academic plan for the university, subject to the board's approval; and to supervise a staff to conduct research, coordinate data, and make analyses and reports on a university-wide basis.

b. To unify and coordinate college educational planning, operating systems, business and financial procedures, and management.

c. As to each educational unit:

1. To oversee and hold accountable campus leadership, including by setting goals and academic and financial performance standards for each campus.
2. To recommend to the board the appointment of the college president and senior campus staff.
3. Periodically, but no less than every five years, review the performance of each college.
4. Present to the Board all important reports, recommendations, and plans submitted by a college president, faculty or governance body with his/her recommendations, if any.

c.] d. To prepare, with the advice of the council of presidents, the operating budget and the capital budget for consideration by the board and presentation to the state and the city.

d.] e. To act as the representative of the university and its [board and of the] colleges with outside agencies and particularly to promote the interest and welfare of the university and its colleges with city, [and] state and federal officials. [Officers, with the trustees of the state university, and with the federal government in matters of grants and federal aid.]

e.] f. To promote a positive image of the university and to develop and enhance public and private sources of funding for the university [develop good public relations].

f. To administer the overall policies adopted by the board with the understanding that the authority, functions, and appellate powers of the presidents with regard to the educational administration and disciplinary affairs in their several colleges will not be abridged.]
To supervise a staff to conduct research, coordinate data, and make analyses and reports on such matters of overall policy as may be necessary. At five year intervals he/she shall provide for a performance audit of each college and of the central administration.

To attend meetings of the board and its committees and to advise on all matters related to his/her duties and responsibilities.

To live in a residence provided for him/her by the board.

Nothing in this enumeration shall compromise or detract from the powers and duties of the board of trustees as defined in the state education law, or the duties and responsibilities of each president with regard to his/her college.

B. Qualifications:

He/she shall have an outstanding reputation as an educational administrator, executive and scholar, and such personal qualities as will be conducive to success as a leader of scholars and teachers and as the chief executive officer and public representative of the university [a representative of the board].

and be it further

RESOLVED, That Section 11.3 be amended to read:

Section 11.3. SENIOR UNIVERSITY STAFF. [DEPUTY CHANCELLOR, SR. VICE CHANCELLOR FOR FACILITIES, PLANNING, CONSTRUCTION, AND MANAGEMENT, VICE CHANCELLOR, DEPUTY VICE CHANCELLOR FOR MANAGEMENT AND BUDGET, UNIVERSITY ADMINISTRATOR, UNIVERSITY ASSOCIATE ADMINISTRATOR, UNIVERSITY ASSISTANT ADMINISTRATOR, AND UNIVERSITY DEAN.]

A. The senior university staff shall include persons in the titles of executive vice chancellor, chief operating officer, senior vice chancellor, vice chancellor, university administrator, university associate administrator, university assistant administrator, university dean, university associate dean, university assistant dean, and such other titles as the chancellor, with the approval of the board, may designate.

B. [A.] Position Definition:

The duties and responsibilities of the senior university staff [deputy chancellor, the sr. vice chancellor for facilities, planning, construction, and management, the vice chancellors, the deputy vice chancellor for management and budget, the university administrator, the university associate administrator, the university assistant administrator and the university deans] shall be to assist the chancellor [ , the deputy chancellor or sr. vice chancellor for facilities, planning, construction, and management, vice chancellors] in designated areas of university operations and to represent [the] him/her when so authorized [; and in addition, the deputy chancellor shall act for the chancellor and assume all of the duties of the chancellor when so authorized by the chancellor].

[B. Qualifications:

They shall have, in addition to those qualifications of the instructional title held, such other qualifications as the board may require.]

and be it further
RESOLVED, That Section 11.4 be amended to read:

Section 11.4. THE PRESIDENT.

A. Position Definition:

The president, with respect to his/her educational unit, shall:

a. Have the affirmative responsibility of conserving and enhancing the educational standards and general academic excellence of the college under his/her jurisdiction. Such responsibility shall include but not be limited to the duty to recommend to the [board] chancellor for appointment, promotion, and the granting of tenure only those persons who he/she is reasonably certain will contribute to the improvement of academic excellence at the college. These recommendations shall be consistent with the immediate and long range objectives of the college.

b. Have the power (1) to remove a department chairperson in accordance with section 9.1.c., and (2) to initiate recommendations for appointment in a department to a professorial title in accordance with section 9.7.a.

c. Be an advisor and executive agent of the [board] chancellor and have the immediate supervision with full discretionary power to carry into effect the bylaws, resolutions, policies of the board, the lawful resolutions of any [of its] board committees, and policies, programs, and lawful resolutions of the several faculties and students where appropriate.

d. Exercise general superintendence over the faculties, concerns, officers, employees, and students of his/her college; in consultation with the chancellor, prepare and implement the college master plan, which shall be subject to the approval of the chancellor and the board.

e. Act as chairperson of the faculty, faculty council, and the committee on faculty personnel and budget, or of equivalent bodies as established.

f. Attend meetings of the board and advise the chancellor and the board on all matters related to educational policy and practice.

g. Transmit to the chancellor [board] recommendations of his/her faculty or faculty council on matters of curriculum and other matters falling under faculty jurisdiction.

h. Consult with the appropriate departmental and faculty committees on matters of appointments, reappointments, and promotions; take student evaluations into account in making recommendations thereon; present to the [board] chancellor his/her recommendations thereon; notify the appropriate faculty committees of his/her recommendations to the chancellor [board].

i. [Be responsible for the presentation] Recommend to the chancellor an [of tentative] annual college budget[s].

j. Consult with and make recommendations to the chancellor concerning all matters of significant academic, administrative or budgetary consequence affecting the college and/or the university.

k. [Be responsible for the presentation to] Present to the chancellor [for submission to the board of] communications from faculties, officers, employees, or students together with any advice or recommendations of his/her own concerning the subject of such recommendations or communications.
Between meetings of the board, be authorized in an emergency to fill temporary vacancies in the instructional staff below the rank of professor in accordance with the method of appointment herein provided and to make such administrative arrangements and appointments as cannot well await the action of the board or its appropriate committees.

Be responsible for assuring that the necessary departmental and administrative tentative annual budgets are initiated and submitted.

Report biennially annually to the chancellor and the board, on or before December thirty-first, concerning the affairs of his/her college during the preceding academic year[s].

Live in a residence provided for him/her by the board.

Have such additional specific duties as the chancellor [board] shall designate.

B. Qualifications:

He/she shall have an outstanding reputation as an educational administrator; personal qualities conducive to success as a leader of scholars and teachers, and as an executive.

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

At this point Trustee Mastro rejoined the meeting.

Upon motions duly made, seconded and carried, the Public meeting was adjourned at 5:20 P.M. to go into Executive Session.

SECRETARY GENEVIEVE MULLIN

(This is a detailed summary of the Board of Trustees' meeting. The tapes of the meeting are available in the Office of the Secretary of the Board for a period of three years.)
MINUTES OF THE EXECUTIVE SESSION OF THE BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK

HELD

OCTOBER 25, 1999

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

The Executive Session was called to order at 5:25 P.M.

There were present:

Herman Badillo, Chairman
Satish K. Babbar
John J. Calandra
Kenneth E. Cook
Michael C. Crimmins
Alfred B. Curtis, Jr.
Ronald J. Marino

Md. Mizanoor R. Biswas, ex officio

Secretary Genevieve Mullin
Roy P. Moskowitz, Acting General Counsel and Acting Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant

Chancellor Matthew Goldstein
Interim Deputy Chancellor Patricia Hassett
Vice Chancellor Jay Hershenson
Vice Chancellor Emma E. Macari
President Gerald W. Lynch
Robert Diaz, Esq.
Mr. Donal Farley
Russell Ann Nobles, Esq.
Charles Webb, Esq.

The absence of Vice Chairman Benno C. Schmidt, Jr. was excused.

Upon motions duly made, seconded and carried, the following resolution was unanimously approved:

E.1. JOHN JAY COLLEGE OF CRIMINAL JUSTICE – AMENDMENT TO ACQUISITION OF PROPERTY:

RESOLVED, That the Board of Trustees of The City University of New York amend the resolution adopted at the meeting of September 28, 1998, Cal. No. E.1., approving the acquisition of certain real property and improvements thereon to authorize an increase in the acquisition price, plus any other costs associated with the acquisition of the New Site by either negotiated purchase or eminent domain proceedings.

EXPLANATION: The September 28, 1998 Resolution, Cal. No. E.1., approved acquisition of the New Site at a price based on an appraisal as of May 1998. The Dormitory Authority has completed the State Environmental Quality
Review of the New Site and is now prepared to issue a negative declaration as to environmental impacts and hold a public hearing as required by the Eminent Domain Procedure Law. As part of this process, the appraisal was updated as of September 1, 1999, and it reflects an increase in the value of the New Site based on an analysis of recent sales of comparable properties and reflecting the terms of the rezoning application for the New Site approved by the City Planning Commission in January 1999. Upon approval of the 1999 Price by the Trustees and the City University Construction Fund, the Dormitory Authority will undertake the acquisition either by a negotiated purchase at the 1999 Price of by the exercise of its eminent domain powers.

Upon motion duly made, seconded and carried, the Executive Session was adjourned at 5:45 P.M.

SECRETARY GENEVIEVE MULLIN
APPENDIX E
Minutes of Proceedings, October 25, 1999

REVISED GOVERNANCE PLAN
QUEENSBOROUGH COMMUNITY COLLEGE

PREAMBLE
The Governance of Queensborough Community College is the concern of all its members. All its constituencies — students, faculty, alumni, and administration — contribute to the maintenance and development of the College. Each has its own particular and mutual areas of concern.

Because each constituency has the right to concern itself in areas that are its responsibility, this document sets forth the organization of the various bodies within the College, and guarantees their autonomy on matters within their jurisdiction. Because the constituencies are interrelated, and because all must participate in the well-being of the College as a whole, this Governance document also provides for the organization of an Academic Senate which shall include students, faculty, alumni, and administrators, which shall be the voice of the academic community of Queensborough Community College in all matters affecting the welfare of the institution.

Article I - ACADEMIC SENATE

A. MEMBERSHIP

The Academic Senate shall be composed of faculty, student, alumni, and administrative representatives with full privileges and vote, and shall include: the President and five (5) administrators selected by him annually; eight (8) officers of Student Government, designated by virtue of office — seven (7) by the Day Student Government and one (1) by the Evening Student Government; one (1) alumni representative, to be selected annually in a manner prescribed by the Alumni Association.

The faculty senators shall be elected in April for three years and shall consist of the following: forty-one (41) faculty at large, elected by those who have been granted faculty rank, and shall not include members of the administration. The chairperson of each department shall also serve as a faculty senator. If a chairperson wishes to decline the office of senator, the department shall elect another representative to the Academic Senate. No more than five (5) faculty members totally shall be permitted to be from any one department. Two full-time CLTs shall be elected at large by the full-time CLTs to serve with vote. One adjunct shall be elected at large by the adjuncts to serve with vote.

B. ORGANIZATION

1. The Academic Senate shall elect a chairperson, a vice-chairperson, and a secretary of the Academic Senate, from among the elected members of the Senate, for a one-year term. These three elected members of the Academic Senate shall constitute a Steering Committee of the Senate. The Academic Senate shall also elect a member of the Senate to serve as Parliamentarian.

2. The Steering Committee of the Academic Senate shall represent the interest of and uphold the policies adopted by the Academic Senate when it is not in session. It shall report to the Senate, at its next regular meeting, such College actions that may have been implemented while the Academic Senate was not in session. If such action requires the immediate establishment of new policy, a special meeting of the Academic Senate shall be called.

3. The President shall preside over regular meetings of the Academic Senate, or, in the President's absence, the chairperson of the Steering Committee shall preside. The Steering Committee shall prepare the agenda after discussions with the President. The President and the chairperson of the Steering Committee, or their designees, shall be ex officio members, without vote, on all standing committees. The President shall open the special meeting. The first item on the agenda shall be the election of the chairperson for that meeting by the members of the Academic Senate.

4. The agenda of each Academic Senate meeting shall include a report by the President or a designee concerning matters of college and university interest.
5. Committees

(a) The Academic Senate may establish such standing and ad hoc committees as it determines. Each committee shall elect its own chairperson, secretary, and such other officers as may be appropriate.

(b) There shall be a Committee on Committees elected by the Academic Senate to draw up a proposed list of Committees to be presented for adoption to the Academic Senate. This Committee shall also be responsible for the nominations and elections to such Committees as established by the Senate. However, nominations and elections for the Steering Committee of the Senate and for the Committee on Committees shall be conducted directly from the floor at the duly convened May meeting of the Senate.

(c) There shall be one student, designated by Student Government from among the student members of the committee, to represent each of the committees on which there is student participation. He/she may attend meetings of the Academic Senate, and shall have speaking privileges without vote when his/her committee report is under discussion.

(d) Student representation on the list of committees shall be proposed to the Academic Senate by the Committee on Committees with the following specifications: that there be one-third student membership on the Curriculum and Course and Standing Committees. Student representation on the Course and Standing Committee shall vote only on policy matters.

C. POWERS

Through its Steering and Standing Committees, the Academic Senate shall have the power to request and receive information appropriate to or necessary for the performance of its duties, from the President and members of the administration, from students and student organizations, and such other sources as may be appropriate. It may address communications to the Board of Trustees by the President in some document whether it be a Chancellor's Report or some other report in which the vote must be recorded. The Academic Senate shall be the voice of the academic community of Queensborough Community College of The City University of New York in all matters which shall appropriately be brought before it, including:

1. Intercollegiate athletics and cultural, fine and performing arts programs.

2. Educational objectives of the College.

3. The establishment and location of new units of the College.

4. The formulation of the policy relating to the admission and retention of students, subject to the guidelines of the Board of Trustees, and curriculum, awarding of college credits, and granting of degrees. In granting of degrees student members of the Senate shall not vote.

5. The recommendation of search and evaluation procedures.

6. Such other areas as affect the welfare of the institution.

D. PRESIDENTIAL CONSULTATION

The President shall inform and discuss with the Academic Senate or with the Steering Committee when the Senate is not in session, prior to his recommendation to the Board of Trustees on all college-wide matters which fall within the purview of the Academic Senate where his recommendations will be in disagreement with the vote of the Academic Senate and in areas that could not have been presented to the Academic Senate because of the necessity of meeting a deadline.
E. MEETINGS

The Academic Senate shall meet regularly at least five (5) times each semester. Special meetings shall be called by the President, the chairperson of the Academic Senate, on the written request of any eight (8) senators, or by written petition from 100 faculty members who are eligible to vote for the academic senators. A quorum shall be a majority of the members of the Academic Senate. The chairperson of the Steering Committee or his designee shall preside at special meetings of this body.

F. BYLAWS

The Academic Senate may adopt its own bylaws consistent with this Governance document. (Until such bylaws are drafted, the present Bylaws of the Faculty Council shall be the bylaws of the Academic Senate except where otherwise provided in this Governance plan. Such new bylaws must be drafted and adopted within two months of the first meeting of the Academic Senate.)

G. VOTING

1. For the purposes of implementing the new charter of Governance and the rights and responsibilities granted therein, lecturers (full-time), instructors, and the persons in registrar series who have received notice of appointment on an annual salary basis for a third or later year of continuous full-time service and all individuals in professorial titles who do not hold administrative positions shall have the right to vote for faculty representatives to the Academic Senate and to serve as faculty senators.

2. All full-time college laboratory technicians shall be permitted to vote for two (2) CLT representatives to the Academic Senate.

3. Adjunct CLT's shall elect one representative from among their number who shall cast one vote in the election of the two full-time CLT representatives to the Academic Senate and any other college-wide positions to which CLT's are elected. For purposes of this document adjunct CLT's shall be defined as any person who is employed part-time as a CLT and who does not otherwise have voting rights as described in the appropriate sections of this document.

4. Adjuncts shall be permitted to vote for one (1) adjunct representative to the Academic Senate upon receipt of the fifth continuous notice of appointment.

5. Persons having received notice of nonreappointment shall not have the right to vote for representatives to the Academic Senate or in the Academic Senate upon immediate receipt of such notice. Persons who have submitted a resignation shall not have the right to vote for representatives of the Academic Senate or in the Academic Senate immediately upon receipt of such resignation.

6. Persons on leave shall retain the right to vote for representatives to the Academic Senate but shall not serve in the Academic Senate during the period of their leave.

Article II - FACULTY

A. FACULTY DEFINED

The faculty shall be defined as those persons holding professorial titles; and lecturers (full-time), instructors, persons in the registrar series, college laboratory technicians (full-time), who have received notice of appointment on an annual salary basis for a third or later year of continuous full-time service.

B. MEETINGS

The faculty shall meet at least once each semester. Special meetings shall be called by the President, the chairperson of the Faculty Executive Committee, or on the written request of fifty (50) faculty members.
C. ORGANIZATION

1. The faculty shall elect a chairperson and six (6) other members of an Executive Committee for a three-year term. The committee shall designate one of its members to be secretary, and another to be treasurer of the faculty. The faculty shall also elect one of its members to serve as parliamentarian.

2. The Faculty Executive Committee shall prepare the agenda for faculty meetings after discussion with the President. The chairperson of the Faculty Executive Committee shall preside at meetings of the faculty.

3. The Faculty Executive Committee shall propose to the faculty for its approval such standing and ad hoc committees as they deem necessary and the membership thereof.

4. The President shall meet regularly with the Faculty Executive Committee to discuss items of concern to the faculty.

D. POWERS OF THE FACULTY

1. The faculty shall be responsible for the academic status, role, rights, obligations, and freedoms of the faculty, and such other matters that may affect the welfare of the faculty consistent with this document. The faculty through its Executive Committee may address communications to the Board of Trustees by the President in some document whether it be a Chancellor’s Report or some other report in which the vote must be recorded.

2. Review of Academic Senate Actions

The Faculty shall have the right to review any action of the Academic Senate. A special meeting shall be called by a petition of at least ten per cent of the faculty to discuss the issues involved. A majority of those present can initiate a referendum to be held no later than four weeks after the general meeting. If the majority vote is against a referendum, one may still be called by a second petition of one-third of the faculty. The actions of the Academic Senate shall be nullified by a two-thirds vote of the faculty voting by written poll (provided at least fifty [50] percent of the total faculty casts ballots).

3. Initiation of Academic Senate Agenda Items

The faculty may initiate policy, bylaws, or regulations for consideration by the Academic Senate either by a simple majority of a faculty meeting or by a petition of ten percent of the faculty; such items shall be placed on the agenda of the next meeting of the Academic Senate in accordance with the Bylaws of the Academic Senate. The faculty may initiate policy, bylaws, or regulations directly through an initiative referendum by written poll; a special meeting shall be called by a petition of at least ten percent of the faculty to discuss the issues involved; a majority of those present can initiate a written referendum to be held no later than four weeks after the general meeting. If the majority vote is against a referendum, one may still be called by a second petition of one-third of the faculty. The item shall pass with two-thirds vote of the faculty (provided that at least fifty per cent of the total faculty casts ballots).

E. BYLAWS

The faculty may adopt its own bylaws consistent with this Governance Plan.

F. VOTING

All members of the faculty, as defined above, shall have the right to vote in all faculty meetings. Persons having received notice of nonreappointment shall not have the right to vote at faculty meetings upon immediate receipt of such notice. Persons who have submitted a resignation shall not have the right to vote immediately upon receipt of such resignation. Persons on leave shall retain the right to vote at faculty meetings during the period of their leave.
Article III - DEPARTMENT STRUCTURE

A. The departmental structure and the present qualifications for voting for departmental chairperson and P & B shall remain as is mandated in Article IX of the Bylaws of the Board of Trustees with the following modifications:

1. Voting Rights

   (a) Those who hold administrative positions shall not be permitted to vote within departments with the exception of the Chief Librarian and the Dean of Students.

   (b) A department may vote to grant voting rights on, and only on, educational matters in the department to full-time lecturers and instructors who are not otherwise enfranchised in this document. Lecturers with Certificates of Continuous Employment are granted voting rights in department elections for chairpersons and Department P & B Committees.

   (c) At the same time as the election of the department chairperson, the full-time CLT's of each department shall elect a full-time CLT who shall sit with vote at department meetings when matters concerning CLT's (both full-time and adjunct) arise.

   (d) The adjunct CLT's of a department shall elect one (1) adjunct CLT from among them, who shall cast one vote in the election of the full-time CLT from among them.

   (e) At the same time as the election of the department chairperson, adjuncts of each department shall elect a representative who shall sit with vote at department meetings when matters concerning adjuncts arise.

2. Conduct of Meetings

   (a) The chairperson shall preside at department meetings, and such meetings shall be conducted according to the most recent revised version of Robert's Rules of Order.

   (b) Upon petition of at least forty (40) percent of the voters within a department, the Faculty Executive Committee shall appoint a committee to conduct the elections of that department.

B. STUDENT PARTICIPATION

Students shall have the right through their Student Government to petition a department for a presentation on matters of personnel and educational policy.

C. VALUATION AND CONSULTATION

Every three (3) years the President shall consult with the faculty of the Department of the Library concerning the Chief Librarian, and consult with the faculty of the Department of Student Services concerning the Dean of Students. In the selection of department chairpersons where the terms "confer" or "consult" are utilized in this Governance Plan or in the Bylaws of the Board of Trustees, these terms shall be understood to mean that a formal vote by secret ballot is to be taken and shall be forwarded to the Board of Trustees by the President in some document whether it be a Chancellor's Report or some other report in which the vote must be recorded.

D. DEPARTMENT P & B COMMITTEE

1. Plan No. 2. Department P & B Structure

   No more than one of the five regular members of the Department P & B may be non-tenured.

2. The Department P & B must approve by a majority decision all matters of personnel and budget.
3. Upon receipt of a request from Student Government, day or evening, the Department P & B will make itself available within ten (10) school days of written notification for an oral and/or written presentation on matters concerning faculty evaluation.

4. In departments of more than one discipline, an elected representative of each discipline shall serve as a sixth member of the department committee, if that discipline is not represented on the P & B Committee. This representative shall be present, participate, and vote only in actions affecting members and recruitment of members of that specified discipline. Discipline representatives shall be elected at the same time as other P & B members. The content discipline structure of the department shall be recommended by the department and approved by the Academic Senate.

5. A full-time CLT shall be elected by the full-time CLT's of the department to serve with vote as the sixth member of the Department P & B Committee to be present, participate, and vote only in actions affecting CLT's.

E. ENABLEMENTS

1. The faculty as defined in Article II, Item A, shall be enabled to reconsider and vote an alternative to Article III, Item D, No. 1, should Bylaw provisions mandated by the Board of Trustees be passed which affect the implementation of this structure.

2. The faculty as defined in Article II, Item A, shall be enabled, if it so desires, to create a provision concerning the recall of the department chairperson and members of the Department P & B.

Article IV - COLLEGE COMMITTEE ON FACULTY PERSONNEL AND BUDGET

A. The College Committee on Faculty Personnel and Budget shall be constituted as at present and shall vote on appointments, reappointments, recommendations for tenure, or certificates of continuous employment, promotions, faculty fellowships, research grants requiring college approval, travel funds, matters relevant to salary, and other relevant budgetary items, except that no vote for reappointment shall be required for those serving in the Higher Education Officer Series. A CLT elected by the CLT's shall sit with a vote on the College Committee on Faculty Personnel and Budget when personnel matters concerning CLT's are considered. The Registrar shall sit with vote on the College P & B when personnel matters concerning individuals in the registrar series are being considered. All members of the academic staff who are members of departments shall come before the Departmental and College P & B for reappointment and promotion. Deans who are not attached to departments shall come before the College P & B on questions of promotion.

All presidential personnel recommendations shall proceed through the College Personnel and Budget evaluation process, including consultation and vote by secret ballot, which shall be forwarded to the Board of Trustees by the President in some document, whether it be a Chancellor's Report or some other report in which the vote must be recorded.

B. The College Committee on Faculty Personnel and Budget may establish a subcommittee on tenure and Certificates of Continued Employment, a subcommittee on promotions, and such other committees as it deems appropriate.

Article V - ACADEMIC REVIEW COMMITTEE

The purpose of the Academic Review Committee shall be to hear all appeals regarding personnel actions of Departmental and College P & B Committees. Consideration of an appeal may be requested by the affected individual or referred to the Academic Review Committee by the President.

The membership shall consist of the following: one (1) Academic Dean (full), chosen by the President annually to serve as chairperson without vote; five (5) tenured professors and/or associate professors elected at large annually with a sixth as an alternate. Those members defined as faculty shall constitute the electorate in voting for members of this committee with the exception of administrators, who are not acted upon by the College P & B.
APPENDIX E
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Positive decisions of this committee shall be forwarded directly to the President, or, in the case of negative departmental action, the Academic Review Committee may refer its positive recommendations initially to the College P & B. In the course of meetings, this Committee shall have access to all pertinent information available to the Departmental and College P & B Committees.

**Article VI - COLLEGE ADVISORY PLANNING COMMITTEE**

The purpose of the College Advisory Planning Committee shall be to act as the primary planning body for Queensborough Community College. In this capacity, it is envisioned that the leadership of the various constituencies on campus will meet and discuss items concerning the state of the College and ways the College can best achieve its stated mission, goals, and objectives. Committee agenda items may be suggested to the Committee by any other constituency covered in the Governance Plan. The powers of this Committee shall not infringe upon the powers and authority of any of the constituencies, organizations or committees operating under either the Governance Plan of Queensborough Community College or the Bylaws of the Board of Trustees.

The membership of this Committee shall consist of the President as Chair, vice president(s), full dean(s), the Faculty Executive Committee, the Academic Senate Steering Committee, and the presidents of Day and Evening Student Governments. In the even of one combined student government, the president and executive vice President of that student government shall be included in the committee membership. The Committee shall meet at least twice a semester or when agenda items are proposed by or upon request of one of its constituent bodies.

**Article VII - STUDENT SECTION**

**A. PREAMBLE**

1. The student's freedom to learn is a complement of the faculty member's freedom to teach. An academic community dedicated to its ideals will safeguard the one as vigorously as it does the other.

2. Free and open discussion, speculation, and investigation are basic to academic freedom.

3. Students receive their college education not only in the classroom but also in out-of-class activities which they themselves organize through their association with fellow students, the student press, student organizations, and in other ways. It is vital, therefore, that their freedom as campus citizens be respected and ensured.

4. Student Government shall have as one of its chief functions the regulation of student-sponsored activities, organizations, publications, etc. In exercising this function, no Student Government should be permitted to allocate resources so as to bar or intimidate any campus organization or publication nor make regulations which violate basic principles of academic freedom and civil liberties.

5. Students should be free, without restraint by either the College administration or the Student Government, to organize and join campus clubs or associations for educational, political, social, religious, or cultural purposes. No such organization should discriminate on grounds of race, religion, color, or national origin. The administration should not discriminate against a student because of membership in any campus organization.

**B. CONDUCT STANDARD DEFINED**

1. Each student enrolled or in attendance in any college, school, or unit under the control of the Board, and every student organization, association, publication, club, or chapter, shall obey the laws of the City, State, and Nation, and the Bylaws and resolutions of the Board, and the policies, regulations, and orders of the College.

2. The faculty and student body at each college shall share equally the responsibility and the power to establish, subject to the approval of the Board, more detailed rules of conduct and regulations in conformity with the general requirement of this Article.
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3. This regulatory power is limited by the right of students to the freedoms of speech, press, assembly, and petition as applied to others in the academic community and to citizens generally.

C. STUDENT ORGANIZATIONS

1. Any group of students may form an organization, association, club, or chapter by filing with the duly elected Student Government organization of the college or school at which they are enrolled or in attendance and with an officer to be designated by the faculty of the college or school at which they are enrolled or in attendance (a) the name and purposes of the organization, association, club or chapter, (b) the names and addresses of its president and secretary or other officers corresponding in function to president and secretary.

However, no group, organization, or student publication with a program against the religion, race, ethnic origin or identification, or sex of a particular group, or which makes systematic attacks against the religion, race, ethnic origin, or sex of a particular group, shall receive support from any fees collected by the college or be permitted to organize or continue at any college or school. No organization, military or semi-military in character, not connected with established college or school courses, shall be permitted without the authorization of the faculty and the duly elected student government and the Board.

2. Extracurricular activities at each college or school shall be regulated by the duly elected Student Government organization to ensure the effective conduct of such college or school as an institution of higher learning and for the prevention of activities which are hereafter proscribed or which violate the standards of conduct of the character set forth in Section 15.1 of the Bylaws of the Board of Trustees. Such powers shall include:

(a) the power to charter or otherwise authorize teams (excluding intercollegiate athletics), publications, organizations, associations, clubs or chapters, and, when appropriate in the exercise of such regulatory power, the power to refuse, suspend, or revoke any charter or other authorization for cause after hearing on notice.

(b) the power to delegate responsibility for the effective implementation of its regulatory functions hereunder to any officer or committee which it may appoint. Any aggrieved student or group whose charter or other authorization has been refused, suspended, or revoked may appeal such adverse action by such officer or committee of Student Government to the duly elected Student Government. On appeal an aggrieved student or group shall be entitled to a hearing following the due process procedures as set forth in Section 15.3 of the Bylaws of the Board of Trustees. Following such hearing the duly elected Student Government shall have the authority to set aside, decrease, or confirm the adverse action.

3. Any person or organization affiliated with the College may file charges with the Office of the Dean of Students alleging that a student publication has systematically attacked the religion, race, ethnic origin, or sex of a particular group, or has otherwise contravened the laws of the City, State, or Nation, or any Bylaw or resolution of the Board, or any policy, regulation, or order of the College; the charges must be filed within a reasonable period of time after such occurrence. If the Dean of Students determines, after making such inquiries as he/she may deem appropriate, that the charges are substantial, he/she shall attempt to resolve the dispute, failing which he/she shall promptly submit the charges to the Faculty-Student Disciplinary Committee for disposition in accordance with the due process procedures of Section 15.3 of the Bylaws of the Board of Trustees.

If the Committee sustains the charges or any part thereof against the student publication, the Committee shall be empowered to (1) reprimand the publication, or (2) recommend to the appropriate funding bodies the withdrawal of budget funds. The funding body shall have the authority to implement fully, modify, or overrule the recommendations.

4. Each college shall establish a Student Elections Review Committee in consultation with the various Student Governments. The Student Elections Review Committee shall approve the election procedures and certify the results of elections for student governments, and student body referenda.
D. STUDENT GOVERNMENT ACTIVITY DEFINED

1. A Student Government activity is any activity operated by and for the students enrolled at any unit of the University provided, (a) such activity is for the direct benefit of students enrolled at the College; (b) that participation in the activity and the benefit thereof is available to all students enrolled in the unit or Student Government thereof; and (c) that the activity does not contravene the laws of the City, State, or Nation, or the published rules, regulations, and orders of the Board of Trustees or the duly established College authorities or contravene the Governance document.

E. STUDENT GOVERNMENT ACTIVITY FEE DEFINED

1. The Student Government Activity Fee is that portion of the Student Activity Fee levied by resolution of the Board of Trustees which has been established for the support of Student Government activities. The existing Student Government Activity Fee now in effect shall continue until changed.

F. STUDENT ACTIVITY FEES *

1. Student Activity Fees, including Student Government Activity Fees collected by a college of the University, shall be deposited in a college central depository and allocated by an approved College Association. A College Association shall be considered approved for purposes of this section if (a) its charter or certificate of incorporation and bylaws are approved by the President and filed with the Secretary of the Board of Trustees, and (b) no less than one fewer than one-half of the members of the College Association and of its governing board are students in good standing enrolled at the College, and (c) the student membership of the College Association and its governing board are elected by the student body on a basis which approximates representation proportional to the contribution to student activity fee income from the members of each Student Government, or the student membership is selected by the respective Student Governments on the same basis.

2. The College and the College Association and Student Governments shall employ generally accepted accounting and investment procedures in the management of all funds. All funds for support of Student Activities are to be disbursed only in accordance with approved budgets and be based on written documentation. The requisition for disbursement of funds must contain two signatures: one, the signature of a student with responsibility for the program; the other, the signature of an approved representative of the body governing the budget process of the student activity fee or portion thereof.

All revenues generated by student activities funded through Student Activity Fees, including Student Government Activity Fees, shall be deposited to the credit of the body governing the budget process of the Student Activity Fee or portion thereof and not retained by the group or club running the program except where specific authorization has been granted by the governing body.

3. Student Government Activity Fees shall be allocated by the duly elected Student Government or each Student Government where more than one duly elected Student Government exists, for its own use and for the use of the student organizations, as specified in Section 15.2 of the Bylaws of the Board of Trustees provided, however, that the allocation is based on a budget approved by the duly elected Student Government after notice and hearing.

4. Where more than one duly elected Student Government exists, the College Association shall allocate the Student Government Activity Fees to each Student Government in direct proportion to the amount collected from the members of each Student Government.

5. The President of the College shall have the authority to veto any Student Activity Fee including the Student Government Activity Fee allocation, which in his or her opinion requires further clarification or contravenes the laws of the City, State, or Nation, or any bylaw or resolution of the Board, or any policy, regulation, or order of the College. The veto shall not be based on differences of opinion regarding the wisdom or worth of such planned activity. If the College President chooses to exercise a veto, he or she shall consult with the General Counsel and Vice Chancellor for Legal Affairs and promptly communicate his/her decision to the allocating body.
6. A referendum proposing changes in the Student Activity Fee shall be initiated by a petition of at least ten (10) percent of the appropriate student body and voted upon in conjunction with Student Government elections.

(a) Where a referendum seeks to earmark Student Activity Fees for a specific purpose or organization without changing the total Student Activity Fee, the results of the referendum shall be sent to the College Association for implementation.

(b) Where a referendum seeks to earmark Student Activity Fees for a specific purpose or organization by changing the total amount of Student Activity Fees, the results of such referendum shall be sent to the Board of Trustees by the President of the College together with his/her recommendation.

7. Any member of the Student Government may present in writing charges of misuse of the Student Activity Fees, to the committee, which shall meet and review the case, and if the committee deems so necessary shall hear the charges formally and allow both the accusing and accused parties to present their sides.

G. DISCLOSURE

1. The College President shall be responsible for the full disclosure to each of the Student Governments of the College of all financial information with respect to Student Activity Fees.

2. The Student Governments shall be responsible for the full disclosure to its constituents of all financial information with respect to Student Government Activity Fees.

3. The College Association shall be responsible for the full disclosure of all financial information to its membership, to the College, and to the Student Governments with respect to all of its activities, including auxiliary enterprises.

4. For purposes of the foregoing paragraphs, full disclosures shall mean the presentation each semester of written financial statements which shall include, but need not be limited to, the source of all fee income by constituency, income from other sources creditable to Student Activity Fee accounts, disbursements, transfers, past reserves, surplus accounts, contingency and stabilization funds. Certified independent audits performed by a public auditing firm shall be conducted at least once a year.

H. STUDENT-FACULTY DISCIPLINARY COMMITTEE *

1. The Student-Faculty Disciplinary Committee shall consist of six students elected in an annual election, in which all students enrolled at the College shall be eligible to vote and serve. The six (6) members of the faculty committee shall be elected in an annual election, in which all persons with faculty rank or faculty status who do not hold administrative positions nor are part of the staff of the Dean of Students, shall be eligible to vote or serve. No member of the committee shall be allowed to serve more than two terms of office consecutively.

2. The committee shall elect from amongst its members a chairperson, who shall preside at all meetings and hearings. The committee may adopt bylaws, and amend said bylaws, provided that said bylaws are consistent with this article. When in hearing, the committee shall consist of three student members picked by lot, and three faculty members picked by lot, and the chairperson, who shall preside.

3. The Student-Faculty Disciplinary Committee shall have the power and responsibility to re-evaluate the rules of conduct and regulations of the College, in conformity with the general requirements of this article, at the end of each term, taking into account all the disciplinary actions brought by any member of the College community against any other member of the student body.

4. Student vacancies in the committee shall be filled by the appropriate student organization; vacancies shall be filled in accordance with appropriate procedure.

5. Any member of the committee may request the committee to come to session, but only the chairperson may call the committee into session for the purposes of a hearing. A quorum shall consist of two-thirds of each of the...
respective represented factions.

6. Any persons who are to participate as witnesses at the hearing, or were involved with the preferring of charges, or who may participate in the appeals procedure, or in any way may have a direct interest in the outcome of the hearing shall disqualify themselves from that case. The other members of the committee shall decide if there is ever a question of conflict of interest in a member.

I. STUDENT DISCIPLINARY PROCEDURE *

1. Any charge, accusation, or allegation which is to be presented against, or by, a student, and if proved, would subject the party to disciplinary action, must be submitted promptly in writing and in complete detail to the Office of the Dean of Students, by the person or persons making the charge.

Notice of the charge shall be personally delivered, or sent by registered mail, to the address appearing on the College records, and shall contain:

(a) A complete and itemized list of the charges, rules, bylaws, or regulations the student is charged with violating, and the possible penalties.

(b) The time, date, and place of meeting with the ombudsman, which shall be as soon as practicable.

(c) A copy of the student's rights during the meeting and proceedings.

2. The Dean of Students shall then turn the case over to the ombudsman who shall employ the following procedure:

(a) The ombudsman will make sure the accused party shall be made fully aware of the charges and possible consequences, as well of the student's rights, at the meeting.

(b) The ombudsman will be responsible for trying to resolve the matter by mutual agreement, and where warranted, to agree on any disciplinary action to be taken.

(c) If an agreement is reached, the ombudsman shall then report it in writing to the Office of the Dean of Students with copies going to both the accused and accusing parties; and then the Office of the Dean of Students shall be responsible for implementing any actions that may have been agreed to.

3. If no agreement is reached, or if the accused party fails to appear, then the ombudsman shall turn the matter over to the chairperson of the Student-Faculty Disciplinary Committee, which will follow the established procedure for hearings, which shall include the following:

(a) Notice of the hearing must be sent via registered mail, not less than five school days before the hearing. The notice shall also advise the party of his right to have legal counsel and witnesses participate at the hearing, and shall include a copy of the letter previously sent as outlined in this section.

(b) At the hearing the charges as were sent by mail will be read to the student. The student will then be allowed either of two courses of action: (1) He/she may plead guilty, and be afforded an opportunity to explain before the committee shall decide on a penalty; or, (2) the student may plead not guilty or remain silent, in which case the hearing shall continue with the accusing party going first and both sides having the opportunity to introduce evidence and cross-examine the witnesses.

(c) There will be a record kept by a recorder at each disciplinary hearing, which will be transcribed into written copy by the College, and both the recorded copy and the written copy will be made available to the student, without cost.

(d) The student shall have the option of a closed or open hearing but the majority vote of the committee may close a
hearing that is effectively being disrupted by the public.

(e) The findings of the committee shall be forwarded in writing to the Dean of Students, who shall be responsible for implementing any actions taken by the committee.

(f) The Dean of Students shall forward a copy of the committee's findings immediately to the accused and accusing parties.

J. OMBUDSMAN

The students may nominate an ombudsman, but the candidate must have the approval of both the faculty and the administration. The student associations must be responsible for finding the necessary funds to support this position. This appointment shall be on a yearly basis. An ombudsman shall function both as a mediator and arbitrator. (Decisions of the arbitrator shall be nonbinding.)

The ombudsman will be responsible for working out grievances between students and any other members of the College community where avenues for resolving grievances or means of justification do not presently exist. He/she shall also be responsible for directing students to the proper channels where they exist rather than carrying out the grievance.

K. STUDENT RIGHTS

During the disciplinary procedure, a student will have the following rights:

1. He shall be warned that anything said at the hearing or meetings with the ombudsman may be used against the party at a non-College hearing; therefore, the party may have legal counsel present to advise him.

2. A statement that the accused party may remain silent without the assumption of guilt.

3. A statement that the ombudsman is precluded from testifying in a College hearing regarding information received during the interview.

L. SUSPENSION

1. A president or full dean may, in emergency or extraordinary circumstance, temporarily suspend a student or the privileges of a student organization or group, for cause (such as, that their actions will immediately obstruct, interfere, or impede others from the orderly use of the College facilities, or in the achievement of the College's purposes as an educational institution as outlined in this article) for a period of one day pending a preliminary hearing of the Dean of Students and one faculty member, or his or her alternate, and one student, or his or her alternate, of the Faculty Disciplinary Committee, pending formal hearing which must take place within five school days.

Article VIII - AMENDMENTS

A proposal to alter specific provisions of this Governance document of Queensborough Community College may be initiated by the President or by a two-thirds vote of the Academic Senate. Such proposals shall be submitted to referendum in separate elections of the faculty (to include college laboratory technicians) and students as soon as possible. If a majority of at least fifty (50) percent of the eligible voters of the faculty agrees to the proposed amendment, it shall be deemed approved by the faculty. If a majority of at least fifty (50) percent of the eligible voters of the students agrees to the proposed amendment, it shall be deemed approved by the students. If approved by both parties and concurred to by the President, the amendment shall be adopted. If, however, one of the parties does not have at least fifty (50) percent of its members voting, the recommendation for adoption of the proposed amendment will be decided by the party which has at least fifty (50) percent of its members voting, and by the approval of the President. If neither party has fifty (50) percent of its members voting, the proposed amendment is deemed defeated.
Article VII (Student Section) of the Governance Plan, to the extent its provisions are inconsistent with the Bylaws of the Board of Trustees of The City University of New York, is superseded by the Board Bylaws. The Board Bylaws no longer permit inconsistent provisions of college governance plans to supersede Articles XV (Students) and XVI (Student Activity Fees and Auxiliary Enterprises) of the Board Bylaws. Board Bylaw Articles XV and XVI should therefore be reviewed to determine if they supersede Article VII of the Governance Plan, including superseding provisions as to the composition of the college association and the student disciplinary committee, and the roles of the dean of students and the ombudsman in the student disciplinary procedure. (See Board Minutes of April 25, 1983, Cal. No. 7.A., February 24, 1992, Cal. No. 6.B., and March 23, 1992, Cal. No. 6.A.)

Adopted by the Board of Higher Education on November 22, 1976, Cal. No. 5.A. As amended by the Board of Trustees on June 23, 1980, Cal. No. 5.D.; and October 25, 1999, Cal. No. 6.A.
INTRODUCTION

The Office of Faculty and Staff Relations (OFSR) has been reviewing on an ongoing basis the Higher Education Officer (HEO) series to assess opportunities to enhance its flexibility and usefulness for the colleges. The recommendations contained herein are a product of this continuing review of the HEO series. OFSR has been assisted in this review by the advice and comments of many concerned members of the CUNY community, especially the Presidents of the constituent colleges. These recommendations will alter the existing practices for approving HEO appointments and, in significant ways, alter the titles themselves. Many of the recommendations will require approval by the Board of Trustees. Before presenting our recommendations, we believe that it is important that you understand the history of the title, the current practices and the reasons for them.

History

The HEO series was created by resolution of the Board of Higher Education on September 26, 1966, as part of the instructional staff, i.e., as unclassified civil service titles consistent with Article 35 of the New York State Civil Service Law. The New York State Education Law requires the Board of Trustees to "determine to what extent examinations are practicable to ascertain merit and fitness for each of the positions within the educational units covered and administered by it and, in so far as examinations are deemed practicable [to] determine to what extent it is practicable that such examinations be competitive." In June 1967, the Board of Higher Education approved a document entitled Appointment Procedures and Practicability of Competitive Examinations for Higher Education Officer Series Titles. This document concluded that formal examinations for positions in the HEO series were impracticable for determining merit and fitness and recommended that HEOs be appointed through an "unassembled examination" adapted from the practice used at the time for the selection of faculty. The recruitment and HEO screening process, therefore, is the method adopted by the Board of Trustees to determine merit and fitness in lieu of formal civil service examinations. The details of the selection process are provided in the Guidelines Regarding Recruitment and appointment to HEO Series Positions, revised March 1995.

Functions

HEOs perform a variety of functions for the University for which there is no classified civil service counterpart and which are generally not appropriate for faculty. At its inception, examples of duties appropriate to the HEO series included "institutional research, campus planning and development, coordination of relations with community and civic groups, supervision and coordination of all educational data processing, coordination of applications to federal, state and private foundations for educational grants, direction of specific specialized campus activities, function as executive assistant to Chancellor or President, or development of some major aspect of new programs."

Current Practice

The responsibility for insuring proper classification is assigned by New York State law to the CUNY Civil Service Commission and to the CUNY Board of Trustees. By delegation, the classification of HEO positions rests with both the colleges and with OFSR. OFSR has the responsibility for determining whether a position proposed by a college belongs in the classified service or the unclassified, that is, instructional, service and also for determining the proper title. Colleges initiate classification requests to OFSR by submitting Position Vacancy Notices (PVNS) for review and approval. Maintenance of consistency is essential for job classification in the civil service and bears an important relationship to collective bargaining.

After a position is approved, the college is expected to conduct a search for qualified candidates to fill the position. When a candidate is chosen, an offer is made at a specified salary. The appointment is then presented to the Board of Trustees for its approval. OFSR reviews every appointment in the classified staff, higher education officer series, and college laboratory technician series that is recommended to the Board of Trustees, via the Chancellor's or University Reports. OFSR ascertains whether the candidate meets the Bylaw qualifications and is being offered a salary that is consistent with salaries offered throughout the University for similar positions. In this way OFSR assists the Chancellor in meeting his/her obligations to certify to the Board that such entries on the Chancellor's and University Reports conform to Board requirements.

Recommendations

At the outset, we recommend that the titles within the Series remain the same: Assistant to the Higher Education Officer, Higher Education Assistant, Higher Education Associate and Higher Education Officer. The current configuration has the advantages of familiarity and acceptance. Implementation of the recommendations outlined below should provide the flexibility and efficiency that the colleges need. If these changes are made, primary responsibility for maintaining the integrity
of appointments to the HEO series would devolve to the Presidents and, in many instances, a post-audit process would replace a pre-audit process. The recommendations may be grouped into five categories:

I. Classification
II. Qualifications
III. Compensation and Movement Between Titles
IV. Searches
V. Post Audit

I. CLASSIFICATION

Through its classification activities, the University maintains consistent enforcement of employment laws, collective bargaining agreements, and arbitration decisions. In addition, OFSR certifies to the Board that classification is consistent with Board directives and safeguards the Board’s long standing interest in fair employment practices and in minimizing competition among colleges for employees. The benefits of a good classification system include:

- providing equity in hiring decisions, in work assignments, and in compensating employees;
- meeting the requirements of civil service and employment laws;
- clarifying employee responsibilities and performance expectations;
- providing a basis for managerial direction and evaluation;
- distinguishing those tasks that are essential;
- identifying accomplishments that may be rewarded.

Classification specifications, other than the limited guidance in the Bylaws, do not currently exist to assist the colleges or the University. Consequently, colleges base position classification on previous classifications, individual candidate traits, or salary needs, all of which may serve to distort classification, especially as jobs transform. The University HEO Committee in reviewing classification requests and appeals, frequently refers to former submissions and to the submissions of other colleges for similar positions rather than to established specifications in order to arrive at a reasonable decision.

As noted above, OFSR reviews classification requests on behalf of the Board. It is recommended that this review continue, with the following modifications:

- In order to make the classification of HEO positions easier for the colleges and more consistent across the University, OFSR, with the assistance of the colleges, will develop classification specifications. The specifications will provide sample, benchmarked positions with characteristic duties covering all major categories of unclassified service work in the University (e.g., budget, student services, finance, academic administration, etc.). It would be advisable to engage the services of a classification consultant to assist OFSR in evaluating the final product and in validating the specifications.

- The process of obtaining position classification clearance from OFSR using the new classification specifications will be significantly revised. The current double classification review, i.e., at both the PVN stage and at the candidate appointment stage, will be reduced to a single front-end verification that the college has slotted the vacant position into the proper benchmarked classification. In those cases in which the college combines job tasks into a unique specification not covered by the benchmarked jobs, OFSR will review the submission at the PVN stage only and, after consultation with the college, assign a classification.

- For job duties for which there is considerable overlap between the classified and the unclassified (instructional) civil service, classification approval from OFSR prior to posting vacancies will continue to be required: i.e., for positions entailing substantial clerical, accounting, purchasing, computing, security, or facilities management duties.

Requests for reclassification of existing filled positions will continue to require prior approval by OFSR.

II. QUALIFICATIONS

The Bylaws of the Board of Trustees set the minimum qualifications for appointment to HEO series titles. The Bylaws require, at a minimum, a baccalaureate degree and years of experience in higher education related to the position. The following changes are proposed:

- Amend the Bylaws to permit the colleges to require (as opposed to the current system of expressing a preference for) a higher degree (above the B.A.) and/or a special license, if such are necessary for a particular job—e.g., require a J.D.
and admission to the Bar for the position of College Attorney.

- Amend the minimum qualification requirements in Bylaws Sections 11.14-11.17, which currently required experience limited as a higher education setting. To permit more flexibility in hiring, amend the Bylaws to allow for an appropriate combination of educational attainment above the B.A./B.S. and skills/years of experience.

- Delegate responsibility to the colleges for certifying directly to the Board of Trustees that candidates meet the minimum qualifications, subject to periodic post-audits by OFSR. This would vest such responsibility in the College Presidents, thereby eliminating the current requirement that OFSR certify the Chancellor's and University Reports entries on behalf of the Chancellor.

OFSR would maintain responsibility for reviewing Bylaw waiver requests submitted by the colleges and seeking appropriate Board approval.

III. COMPENSATION AND MOVEMENT BETWEEN TITLES

In our collective bargaining environment, salary schedules for HEOs are established through negotiation with the Professional Staff Congress and are subject to the approval of the Governor's Office of Employee Relations and the Mayor's Office of Labor Relations. In difficult-to-staff areas, our salaries may not be competitive. Although we have not fully resolved this difficulty, we have achieved the following:

- By October 1, 1999, the maximum base salary for Higher Education Officers will be $66,619.
- The 1996-2000 agreement gives colleges a limited opportunity to pay HEOs a salary up to $20,000 in excess of the contractual maximum.
- The PSC has agreed to participate in a joint study of compensation issues for faculty and other instructional staff.

Contractual limitations prevent further modifications to the salary schedule for employees in the HEO series who are covered by the collective bargaining agreement; however, the negotiated changes referred to above provide enhanced pay flexibility.

Despite the college's concerns regarding the non-promotional nature of the HEO series, OFSR does not recommend making the HEO series promotional. HEO positions are unlike faculty positions in which a person may be promoted from assistant professor to associate professor and, finally, to full professor. In these cases, the nature of the faculty position does not change. Assistant professors, associate professors and full professors all perform essentially the same functions, e.g., teaching, research, student advisement, and service to the college and university. Unlike faculty positions, the very design and description of the HEO titles make it clear that different functions and levels of responsibility are appropriate to each title. For example, the job duties appropriate to an Assistant to HEO, essentially to support the work of a higher education officer or dean, are not appropriate to full HEO, who is expected to undertake major responsibilities on behalf of the University. However, were the series to become promotional, an Assistant to HEO would during his/her career, expect to be promoted, ultimately to a full HEO, even though his/her job duties have remained unchanged. Such a change in a series with only four (4) titles that represent such broad levels of skill and responsibility would likely result in an expedited journey to the highest title based solely on performance or length of service with little or no significant change in scope of work.

The following changes are recommended within the context of a non-promotional series:

1. Eliminate the requirement that an incumbent serve for a minimum of two years before his/her position can be reclassified, provided that the reclassification is justified by a demonstrable, substantial change in, or addition to, current duties.

2. Eliminate the requirement to have searched for the candidate's current position before allowing reclassification.

3. Eliminate the requirement that OFSR approve contractual merit increases of one and two steps, although notification to OFSR will still be required. OFSR will continue to approve merit increases of more than two steps and early movement to the fifth and seventh year step increments.

4. Vest in the Presidents the responsibility to ensure equitable and appropriate salary placement upon appointment or reclassification.

Excluded HEO's

Although the University has historically pegged the base salaries of excluded HEOs to negotiated salaries, it has unexplored
flexibility in terms of the compensation of excluded HEOs. For example, an initiative that warrants consideration is the establishment of a performance based compensation program for excluded HEOs.

IV, SEARCHES

Conducting a search -- recruiting outside of the University and assessing credentials as presented in resumes and interviews to determine merit and fitness -- has constituted the University's approach to the unassembled exam mentioned earlier in this document. In 1967 The Board of Higher Education, in rejecting the use of formal examinations, specifically noted that formal exams would limit opportunities to those already in the system and would prevent broad outreach to qualified candidates except at perhaps the entry level.

The search is also the cornerstone of the University's affirmative action program. As the University considered the implementation of its affirmative action program in 1970, it decided to pursue a "process oriented" approach to affirmative action as opposed to a "results oriented" approach which would focus on numbers. Because the search was already an integral part of the hiring process, the affirmative action program was built around a strengthened search procedure which required broad outreach to members of historically under-represented groups. In making this process the norm for filling positions in CUNY, the University fulfilled its obligation to provide opportunity for individuals from protected classes to apply and be considered for positions. The process has been successfully used in legal proceedings as evidence of the University's compliance with equal employment opportunity and affirmative action regulations. Because the program mandates that the best qualified person be chosen, it preserves the integrity of the campuses' selection procedures while increasing the likelihood that members of the protected classes will be significantly represented in candidate pools and will be selected at rates that reflect their availability in the labor market.

The practice of searching for all appointments in the HEO series is tied to the concept of the vacancy. Before 1995, every opening in a HEO title was considered a "vacancy" subject to a search or search waiver. In 1995, with the promulgation of the HEO Guidelines, the concept of reclassification--allowing movement of an incumbent to a higher HEO title based on increased job responsibilities--was introduced, thereby altering the strict search requirement. To address residual concerns, the following modifications in the HEO search procedures are recommended:

- Retain the requirement that searches be conducted for vacant positions, but permit the scope of the search to be determined by the campus affirmative action officer. Affirmative action officers would have the option of requiring:
  - a standard search which includes posting of a PVN along with aggressive outreach to potential applicants at the national or regional level;
  - a University-wide search which would rely on the posting of the PVN throughout the University both in hard copy and electronically on the University's or college's web site.
  - a college-wide search which would rely on posting a PVN throughout the college and on the college's website. College-wide searches may be limited to college employees.

The affirmative action officer would have the responsibility of examining all data, including underutilization, overall representation and hiring patterns, before the college could engage in a University or college-wide search. If underutilization was apparent, a college-wide search could not be authorized. Site visits by the University Affirmative Action Office would be used to confirm compliance. Annual plans would be modified to specifically cite the number of searches conducted at each level and the outcome in terms of candidate pools and selection of candidates.

As stated in Section III above, eliminate the need to have searched for the candidate's current position before allowing reclassification. A search waiver granted in the past would not be used to deny reclassification.

V, POST-AUDIT

The changes cited above reflect significant delegations of responsibility to the colleges. Commensurate with such delegation is the need to safeguard the interests of the Board in maintaining the consistency and fairness of the University's human resource system. The colleges will be required to retain all records related to their personnel actions and decisions and will make available to OFSR for review all documents for audited actions. OFSR will audit on a regular basis those actions taken by the colleges under this newly delegated authority such as classification determinations, qualification assessments, compensation designations, and search parameters. Prior to finalizing the audit, OFSR will confer with the college to discuss findings and appropriate remedies.
A range of actions may be implemented as necessary, including but not limited to:

- taking corrective actions to undo errors;
- imposing hiring restrictions; or
- requiring pre-approval by OFSR for personnel actions.

OFSR will report to the Board of Trustees periodically regarding college compliance with these revised procedures.
INTRODUCTION

The Education Law of the State of New York invests in the Board of Trustees/CUNY the authority to appoint and dismiss an appointed executive when warranted.

"The Board of Trustees shall appoint the Chancellor of The City University who shall be the chief educational and administrative officer of The City University and who shall serve at the pleasure of the Board of Trustees."¹ "The Board of Trustees shall establish positions, departments, divisions and faculties; appoint and in accordance with the provisions of law fix salaries of instructional staff and non-instructional employees therein;... "²

The City University of New York is an Affirmative Action–Equal Opportunity Employer and shall seek to identify qualified women and minorities for consideration by the Search Committee.

THE PROCESS

When a vacancy occurs, or is certain to occur, the Chairperson of the Board of Trustees shall, upon consultation with the Chair of the Board Committee on Faculty, Staff and Administration and the Chancellor, establish a Search Committee to seek a new president.

Simultaneously, should circumstances warrant, the Chancellor shall recommend an individual to the Board for appointment as interim president until such time as a president is appointed. Appointment as interim president will typically be for a period of one academic year. If an appointment exceeds this period, the Chancellor shall notify the Board Committee on Faculty, Staff and Administration of the reasons requiring an extension.

An interim president shall not be a candidate for the presidency for the same institution for which he/she is interim president.

A primary responsibility of the Search Committee shall be to attract and recruit highly qualified candidates, emphasizing to them the advantages of working at CUNY and the benefits of living in New York City. Members of the Board, the Chancellor and presidents, the faculty, staff, and students of the University, as well as community and academic leaders from outside the University may submit nominations to the Search Committee.

Composition of the Committee:

In order to provide for adequate participation by representatives of the institution in which a presidential vacancy exists, the Chairperson of the Board shall establish a Presidential Search Committee and designate the Chairperson of the Search Committee. The Search Committee shall be composed of the following members:

Board Members: at least five members of the Board of Trustees, appointed by the Chairperson of the Board. The Chairperson, and the Vice Chairperson of the Board in the absence of the Chairperson of the Board, shall be a member ex officio of the Search Committee, and accordingly shall be entitled to vote. Whenever possible, one Board member appointed to a Search Committee should reside in the same borough as the campus seeking a president.

Faculty: three faculty members from the college, elected as determined by the appropriate faculty governance body of the

¹ NYS Education Law, Article 125, Section 6206(5) last sentence (See Chancellor Search Guidelines)
² NYS Education Law, Article 125, Section 6206(7.a.)
³ Faculty defined as having "faculty rank" or "faculty status" (based on Sections 8.1, 8.2, and 6.2(a), and 6.3(a) of the Board Bylaws). Under the Board Bylaws, faculty primarily includes those in the titles of professor, associate professor, assistant professor, and instructors and lecturers (after reappointment for a third year). The President, vice-presidents, and deans have faculty rank but shall not participate as faculty. College Laboratory Technicians and HEO series personnel do not hold faculty rank or faculty status.
⁴ If there is no official faculty governance body established by the college's approved governance plan, then the faculty representatives to the Search Committee shall be elected by the faculty members of the college governance body.
college concerned. Only faculty as defined in the Board Bylaws may serve as faculty representatives (members) on the Search Committee or vote in the election for such faculty representatives.

Students: two students from the college, as recommended by the president and appointed by the Chairperson of the Board, generally, but not necessarily, the presidents of the student governments, or if there is only one student government, another elected student leader, provided, however, that the president should consult the appropriate student governance bodies on the selection.

Alumni: one alumnus from the college, generally, but not necessarily, the president of the alumni organization of the college concerned. Where there is no formal alumni organization, the Chancellor may recommend an active alumnus to be appointed by the Chairperson of the Board to serve with the Search Committee.

President: the president of one of the colleges of the University, appointed by the Chairperson of the Board.

Internal Staffing and Outside Consultants:

Staff support shall be provided to the Search Committee by the Office of the Chancellor. Where deemed necessary selected individuals including outside firms may be called upon to provide advice in matters pertaining to the search.

PROCEDURES

Analysis of Campus Needs and Priorities:

Prior to the first meeting of the Search Committee, the Chancellor will designate an individual(s) and/or consultant(s) to visit the campus, confer with appropriate constituencies, and prepare a report for the Search Committee and the Chancellor, indicating discreet needs and priorities that will be@ in the preparation of an effective advertisement for the position.

Announcing the Vacancy and Processing the Applications:

Announcements of a presidential vacancy shall be placed in the appropriate media, and shall be communicated to educational and related institutions through correspondence and through targeted recruitment based on the findings of the pre-search report.

All applications, with supporting materials as requested in the job description, are to be sent to:

Presidential Search Committee
The City University of New York
535 East 80th Street
New York, NY 10021

Screening of Applicants:

The Search Committee shall reduce the applicant pool to approximately seven individuals. The candidates will be interviewed by the Search Committee upon the stated request of a minimum of five members of the Search Committee, at least three of whom must be members of the Board.

The Chancellor may place before the Search Committee, for additional review, the curriculum vitae of a small number of individuals eliminated by the Committee or the curriculum vitae of the individuals who have come to the Chancellor's attention after completion of the initial screening process.

At the conclusion of the preliminary interviews, the Search Committee will select three or four to visit the college. If the Committee does not arrive at a consensus or reaches an impasse, Board members of the Search Committee will select the candidates who will visit the campus.

Campus Visits:

Arrangements will be made for those candidates to meet with groups or individuals on the campus. Groups of not more than
10 persons shall be selected by the faculty, students, chairpersons, alumni/foundation/college-related organizations, staff, and senior administrative staff of the college. Meetings with any other constituency or for any other purpose must be approved by the Chancellor. Each campus group shall make a concerted effort to select individuals from as wide an array of its constituency as possible. No person should sit with more than one representative group. (Example: A professor who chairs a department should not sit with both a faculty group and a group of chairpersons.) The college representatives thus selected will meet with all candidates invited to the campus.

Each campus group shall present its view in a brief report to the Chancellor and the Chairperson of the Search Committee within three days of the last campus visit.

Search Committee Recommendations:

After the campus visits, the written conclusions of the Search Committee, normally recommending at least two but no more than three top candidates, shall be submitted to the Chancellor for review and consideration.

Chancellor's Recommendations:

The Chancellor, after reviewing the written assessments of the Search Committee, the views of the campus groups interviewing the candidates, and soliciting such other information as may be necessary, shall prepare recommendations for the Board.

Appointment:

As soon as possible after the Board has chosen its candidate, the Chancellor will notify the candidate in writing of the Board's decision. A formal letter of appointment, together with the Board resolution, which delineates the terms and conditions of employment, will be sent to the candidate as soon as he/she accepts the position.

Exceptions to these Guidelines:

Special situations may occur when, for example, there is a candidate of proven distinction from within the University, a former University executive, or a candidate of national prominence from outside the University, or an exceptional candidate from a recent CUNY presidential search. Under such circumstances, the Board Chair and the Chancellor, after full consultation with the Chair of the Board Committee on Faculty, Staff and Administration and leadership of campus constituencies, may decide to suspend these guidelines for a specific presidential search and substitute a shortened process.