The Vice Chairperson called the meeting to order at 4:33 P.M.

There were present:

Benno C. Schmidt, Jr., Vice Chairman

John S. Bonnici
John J. Calandra
Wellington Z. Chen
Kenneth E. Cook
Alfred B. Curtis, Jr.
Joseph J. Lhota
Randy M. Mastro

Hugo M. Morales
John Morning
George J. Rios
Carol A. Robles-Roman
Niida Soto Ruiz
Jeffrey S. Wiesenfeld

Richard J. Nunez-Lawrence, ex officio

Susan O'Malley, ex officio
Bernard Sohmer, ex officio

Secretary Genevieve Mullin
Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant
Lorrie Christian
Towanda Lewis

Chancellor Matthew Goldstein
Executive Vice Chancellor Louise Mirrer
President Fred W. Beaufait
President Dolores Fernandez
President Ricardo Fernandez
President Frances Degen Horowitz
Interim President Russell K. Hotzler
President Edison O. Jackson
President Christoph M. Kimmich
President Gerald W. Lynch
President Eduardo J. Marti
President Byron N. McClenny
President Antonio Perez

President Jennifer Raab
President Edward V. Regan
President Marlene Springer
President Carolyn G. Williams
President Gregory H. Williams
Dean Kristin Booth Glen
Dean Stanford A. Roman, Jr.
Vice Chancellor Jay Hershenson
Vice Chancellor Otis O. Hill
Vice Chancellor Emma E. Macari
Interim Vice Chancellor Ernesto Malave
Vice Chancellor Brenda Richardson Malone

The absence of Trustees Satish K. Babbar and Kathleen M. Pesile was excused.
A. VIDEOTAPING OF BOARD MEETING: Vice Chairman Schmidt announced that as usual CUNY-TV is transmitting this afternoon’s meeting of the Board of Trustees live on cable Channel 75. CUNY-TV is continuing to make available this important community service that gives the public an opportunity to observe the work of the Board and the City University.

B. INTRODUCTION OF NEW TRUSTEES: Vice Chairman Schmidt stated that on behalf of all my colleagues on the Board, I take great pleasure in introducing to the Board and welcoming our new Trustees. First, Dr. Hugo Morales, who was nominated by Governor Pataki and confirmed by the New York State Senate on June 11, 2002. Secondly, we welcome Deputy Mayor Carol Robles-Roman, who was nominated by Mayor Michael Bloomberg and confirmed by the New York State Senate on June 19, 2002. I know I speak on behalf of all my colleagues on the Board and at the University in saying how much we welcome you. We are delighted to have you join us on the Board and we look forward to working with you.

Trustee Morales stated that I want to express my profound gratitude to the Governor for this nomination to this very prestigious Board. I also want to thank the Senate for the confirmation. I want to be on record saying that Vice Chancellor Jay Hershenson was tremendous in helping me throughout the Senate confirmation. I think this is a great opportunity for myself and for the Hispanic community. I think we would like to help this younger generation to be part of the American dream and I think that I would like to welcome all of you in securing this. Thank you, very much.

Trustee Robles-Roman stated that I just want to say how happy I am to be here today, to be representing the Mayor’s office in this very, very prestigious Board. It is no secret that Mayor Bloomberg has made education his mandate and his focus and I am proud to say that five deputy mayors and senior advisors share that passion. I certainly share that passion and I will be bringing that to this Board in all that I do.

Vice Chairman Schmidt stated that it is also my pleasure to introduce to the Board a new Trustee-designate, Valerie Lancaster Beal. Ms. Beal was nominated by Governor Pataki and confirmed by the New York State Senate. She will be replacing our esteemed friend, Trustee John Morning, and will officially take office at the conclusion of Mr. Morning’s term at the end of this month, but we wanted to welcome you now and say how delighted we are to have you with us.

The calendar items were considered in the following order:

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 9 through 12)

NO. 9. RESOLUTION OF APPRECIATION – CHARLES C. KIDD, SR.:

WHEREAS, Dr. Charles C. Kidd, Sr., was named President of York College at The City University of New York by the Board of Trustees in August 1996; and

WHEREAS, Dr. Kidd’s six years of service reflected his longstanding commitment to higher education and distinguished career as an educator and administrator at institutions across the nation; and

WHEREAS, During Dr. Kidd’s stewardship, new academic opportunities, student internships and scholarships were initiated to advance the educational aspirations and career goals of the York College student body; and

WHEREAS, During Dr. Kidd’s tenure, new community projects were established, including the expansion of educational programs in Far Rockaway, Rochdale Village, and other neighboring communities; and

WHEREAS, York College’s continued growth and enhancement is vitally important to the educational and economic well-being of the Greater Jamaica community, Queens County, the City and State; be it therefore
RESOLVED, That the Board of Trustees of The City University of New York expresses its deep appreciation to Dr. Charles C. Kidd, Sr., for his service as President of York College, and wishes him every success in his future endeavors.

NO. 10. RESOLUTION OF APPRECIATION – GEORGE J. RIOS:

WHEREAS, The Honorable George J. Rios has served with exemplary dedication as a member of the Board of Trustees of The City University of New York from July 2, 1996 to June 19, 2002; and

WHEREAS, The City University of New York and its constituents have greatly benefited from his thirty years of experience in the senior management of federal, state, city, and private sector administrations; and

WHEREAS, He has served with distinction as Chairman of the Board of Trustees’ Audit Committee, and as a member of the Board’s Standing Committees on Faculty, Staff, and Administration, and Student Affairs and Special Programs; as well as a member of the Presidential Search Committees for Baruch College and City College; and

WHEREAS, As an alumnus of Hunter College and of John Jay College of Criminal Justice he has a deep personal understanding and special commitment to The City University's vital role in fulfilling the aspirations and dreams of its students; and

WHEREAS, During his tenure as a member of the Board of Trustees, he advocated high standards of academic integrity; now therefore be it

RESOLVED, That the Board of Trustees expresses its most sincere thanks and deepest appreciation to the Honorable George J. Rios for his outstanding service to the students, the Board, and the University and wishes him continued success in all his future endeavors.

Trustee Rios stated that at moments like this, one is supposed to try to be very eloquent. I will give up on that and just be very sincere. I considered the wonderful opportunity to serve this great University as an indirect mandate from the good Lord, through the wonderful Mayor Rudy Giuliani and his colleagues that suggested I serve. It has been six wonderful, beautiful years. If I keep talking I will get emotional about it, so with that I want to thank all my colleagues, those that I agreed with, those I disagreed with. I leave you in great, great hands. I think it is a wonderful thing that a person of the quality and credentials of Carol Robles-Roman has been selected by Mayor Bloomberg. I know she will do a great job and I ask all of you to give her half the welcome you gave me. She will love it.

NO. 11. RESOLUTION OF APPRECIATION – JOHN MORNING:

WHEREAS, The Honorable John Morning has served with exemplary dedication as a member of the Board of Trustees of The City University of New York from August 2, 1997 to June 30, 2002; and

WHEREAS, His wide-ranging experience in banking, higher education, philanthropy, the visual arts, and historic preservation greatly enhanced the deliberations of the Board of Trustees and its committees; and

WHEREAS, He has served with distinction as Vice Chairman of the Board's Standing Committee on Academic Policy, Program, and Research; as former Chairman of the Committee on Facilities Planning and Management; and as a member of the Committee on Fiscal Affairs; as well as membership on the Presidential Search Committees for City College and Queensborough Community College; and

WHEREAS, The Honorable John Morning vigorously and eloquently defended the concerns of CUNY’s students and faculty, and was committed to policies and practices that would improve the quality of academic life at the University; now therefore be it
RESOLVED, That the Board of Trustees of the City University of New York expresses its most sincere thanks and deepest appreciation to The Honorable John Morning for his distinguished service to the students, the Board, and the University, and wishes him continued success in all his future endeavors.

Trustee Morning stated that I guess you can well imagine that at this moment I am put in mind of that well known line, “this morning, this evening, so soon.” It sums up pretty much how I feel right now. I do want to publicly express my thanks to Governor Pataki for having asked me to be a member of this body and to have this opportunity to serve New York City in this unique way, by helping this very great public institution.

I want to also remark on the great pleasure and privilege it has been to be a part of this Board. It has been a pleasure because of all the people that I have had the opportunity to meet here. Without exception, it has not only been pleasant but it has been collegial. It has been rewarding and to a greater or lesser extent with everyone, depending on time and circumstance, they have added to my insights and to my information and knowledge. I can really now henceforth say that I am very much educated by CUNY.

Secondly, it has been a privilege because the opportunity to express the views that I have found confirmed in my experience, in my proclivities, is a rare one. And while I have not prevailed, as is very evident, I have had the privilege of saying what I believe to be the case and that is the most fundamental right in a democracy which all of us share and nothing can be more important than that. And you have given me that. So to all of my colleagues and associates here, in the time going forward, I wish you the very best, the greatest success this morning, this evening, and tomorrow. Thank you.

NO. 12. RESOLUTION OF APPRECIATION – BERNARD SOHMER:

WHEREAS, The Honorable Bernard Sohmer has served with distinction as the ex officio faculty member of the Board of Trustees from May, 1998 to May, 2002; and

WHEREAS, During his twenty-two years as a member of the Executive Committee of the University Faculty Senate Professor Sohmer served with devotion and dedication on countless standing and ad hoc Board of Trustees committees; and

WHEREAS, Dr. Sohmer brought to the deliberations of the Board and its committees an extraordinary wit and gracious manner, as well as the insights and judgment of a wide academic background and a comprehensive knowledge of college affairs; and

WHEREAS, He has been unflagging in his commitment and dedication to the educational mission of The City University of New York to provide access and academic excellence to the citizenry of New York; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York expresses its most sincere thanks and deepest appreciation to The Honorable Bernard Sohmer for his distinguished service to the students, the Board, and the University and wishes him continued success in all his future endeavors.

Professor Sohmer stated that the last four years have been, as one of the Kennedy brothers once said, interesting times. I would just like to thank the Trustees, whether we agreed or disagreed, who always had both the students and the faculty and City University at the heart of what they were doing. Sometimes they were wrong, but they did have it at the heart of what they were doing. I would just like to thank you and wish you all good in the future. Thank you.

C. FACULTY AND PRESIDENT’S HONORS: Vice Chairman Schmidt called on Trustee Alfred B. Curtis, Jr., who announced the following:

1. Dean Kristin Booth Glen of the CUNY School of Law at Queens College, has been selected as Chair of the American Bar Association’s Commission on Problems of the Elderly.
2. Dr. Andreas Acrivos, Albert Einstein Professor Emeritus of Science and Engineering at the City College, has been designated a 2001 National Medal of Science Laureate by President George W. Bush. This award honors individuals who have recorded a lifetime of distinguished contribution and accomplishment in scientific research that has enhanced our understanding of life and the world around us.

3. Dr. Ramzi Khuri, Professor of Physics at Baruch College, has been named as one of the three scientists to receive a “Young Investigator” Award in the Annual Mayor’s Awards for Excellence in Science and Technology. Mayor Bloomberg called Dr. Khuri, who works in theoretical high-energy physics and string theory, “a ‘rising star’ in fundamental physics research in superstring and m-Theory.”

4. Distinguished Professor of Mechanical and Biomedical Engineering at the City College and the Graduate Center, Dr. Sheldon Weinbaum, has been elected to the National Academy of Sciences. He is one of three engineers among 72 scientists accepted into the Academy in the 2002 election, and the first bioengineer to become a member of the NAS since 1995.

5. The Puerto Rican Legal Defense and Education Fund has awarded CUNY Law Professor Luis DeGraffe its first President’s Pro Bono award to commemorate Professor DeGraffe’s twenty-two year association with the Defense and Education Fund, first as staff attorney, and then as a volunteer attorney and an educator.

6. Professor Meena Alexander, of the English Department at Hunter College, has been awarded a 2002-2003 Fulbright Senior Scholar Award to lecture in India on contemporary American multi-cultural literature at the Mahatma Gandhi University in Kerala, India.

7. Professor Susan Klitzman of Hunter College has been appointed by Mayor Bloomberg to the New York City Board of Health for a six-year term commencing June 2002. The Board reviews and votes on proposed amendments to the New York City Health Code.

8. Dr. Clara Wajngurt, a professor in the Mathematics and Computer Science Department at Queensborough Community College, has accepted nomination to the Board of Directors of the American Association of University Administrators.

D. STUDENT AND ALUMNI HONORS: Vice Chairman Schmidt called on Trustee Wellington Chen, who announced the following:

1. David Jones, a junior majoring in Energy and Environmental Policy, Political Science and Honors at Hunter College, has been awarded a Morris K. Udall Scholarship, which recognizes students who have demonstrated their commitment to preserving and improving the environment. David is one of the 80 students nationwide and one of the only three students from New York State to win the 2002 Udall Scholarship.

2. Theresa Liu, a graduate student in the MFA Creative Writing Program at Hunter College, has been awarded a Jacob K. Javits Fellowship. She is one of the only two students to receive the fellowship in the area of creative writing.

3. Imran Chowdhury, a recent graduate of Hunter College, who majored in Anthropology, Geography, and Honors, has been awarded a Fulbright grant to study in Malawi in Southeast Africa. One of the only three United States students and the only New York City resident to receive a Fulbright grant for Malawi, Imran intends to conduct a review of the collaborative efforts between the University of Malawi and non-government organizations to prevent the spread of HIV-AIDS.

4. Margaret Sorenson, a June 2000 Hunter College graduate, has been awarded a National Science Foundation (NSF) Graduate Research Fellowship which is one of the approximately 900 new NSF fellowships awarded each year to support graduate study in science, mathematics, and engineering.
5. Anya Mukarji-Connolly and Andrea Rodriguez, 2002 graduates of the CUNY School of Law, have obtained prestigious two-year fellowships from Equal Justice Works, (formerly the National Association of Public Interest Law.) Ms. Mukarji-Connolly will be at the Urban Justice Center (Lesbian and Gay Rights Project), and Ms. Rodriguez will work at the Northern Manhattan Improvement Corp., in its Childhood Lead Poisoning project.

6. Trustee Pesile, who could not be present at today’s meeting, asked me to inform the Trustees that as part of the continuing efforts to enhance CUNY in the public eye, she recently met with the producers of the popular TV show, “Who Wants to Be A Millionaire,” and has arranged for our currently enrolled students in the Honors College to participate in the show’s new version, hosted by Meredith Vieira. Trustee Pesile has requested that Dr. Laura Shor, University Director of the CUNY Honors College, coordinate with students their interest in auditioning and participating in the show. This is a unique way of showcasing CUNY’s best and brightest to TV viewers nationwide. She is confident that students who are selected will make us proud and she encourages faculty to volunteer as Life Lines for students in need. She asks that we join her in cheering on our students in this competitive venture.

E. GRANTS: Vice Chairman Schmidt presented for inclusion in the record a list of grants of $100,000 or above received by the University subsequent to the May 28, 2002 Board meeting.

**BROOKLYN COLLEGE**

<table>
<thead>
<tr>
<th>Grant Number</th>
<th>Amount</th>
<th>Institution</th>
<th>Principal Investigator</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.</td>
<td>$125,000</td>
<td>CORPORATION FOR NATIONAL SERVICE</td>
<td>Romer, N., Psychology</td>
<td>“Reach For Success: Learn &amp; Serve Brooklyn.”</td>
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</table>

**THE CITY COLLEGE**

<table>
<thead>
<tr>
<th>Grant Number</th>
<th>Amount</th>
<th>Institution</th>
<th>Principal Investigator</th>
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<tbody>
<tr>
<td>A.</td>
<td>$2,500,000</td>
<td>NOAA</td>
<td>Khanbilvardi, R., Civil Engineering</td>
<td>“NOAA Cooperative Center for Remote Sensing Science and Technology.”</td>
</tr>
<tr>
<td>B.</td>
<td>$1,137,578</td>
<td>NIH</td>
<td>Williams, G., Administration</td>
<td>“Cellular Molecular Basis of Development: Research Center.”</td>
</tr>
<tr>
<td>C.</td>
<td>$1,085,420</td>
<td>NIH</td>
<td>Fishman, M., Chemistry</td>
<td>“MBRS/SCORE Program at City College of CUNY.”</td>
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<tr>
<td>D.</td>
<td>$672,351</td>
<td>NSF</td>
<td>Fosnot, C., Education</td>
<td>“Mathematics in the City: Professional Development Materials for Teaching, Learning and Mathematizing.”</td>
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<td>E.</td>
<td>$290,100</td>
<td>NIH</td>
<td>Rumschitzki, D., Chemical Engineering</td>
<td>“Vessel Structure and Pressure: Trantssport and Atherogensis.”</td>
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<td>F.</td>
<td>$267,750</td>
<td>NIH</td>
<td>Tchernichovski, O., Biology</td>
<td>“Behavioral Mechanisms of Vocal Imitation.”</td>
</tr>
<tr>
<td>G.</td>
<td>$250,000</td>
<td>NASA</td>
<td>Alfano, R., IUSL</td>
<td>“Tunable Solid State Laser and Optical Imaging.”</td>
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<td>J.</td>
<td>$196,134</td>
<td>NIH</td>
<td>Tres, L., Medical School</td>
<td>“Bioregulation of Spermatogonial Stem Cell Lineage.”</td>
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<td>L.</td>
<td>$135,695</td>
<td>NIH</td>
<td>Friedman, E., Medical School</td>
<td>“Prenatal Cocaine and Dopamine Receptor Signaling.”</td>
</tr>
<tr>
<td>M.</td>
<td>$133,880</td>
<td>NYC OFFICE OF MAYOR</td>
<td>Mackillop, J., Adult/Cont. Ed.</td>
<td>“Adult Literacy Program.”</td>
</tr>
</tbody>
</table>
N. $125,089 NSF to Jans, U., Chemistry, for “CAREER: Fate of Contaminant in the Environment.”
O. $110,000 US DOE to Acrivos, A., Levich, for “The Rheology of Concentrated Suspension.”
P. $106,623 NSF to Shinnar, R., Chemical Engineering, for “Coalescence and Phase Separation During Spinodol Decomposition of Solvent Mixture Far From Critical Point.”
Q. $103,838 PFIZER INC. to Small, G., Biology, for “Characterization of Novel Proteins Involved in Sterol Homestasis.”

THE GRADUATE SCHOOL AND UNIVERSITY CENTER

A. $218,035 MPR ASSOCIATES to Flugman, B., for Technical Services.
B. $200,000 ANONYMOUS to McCarthy, K., for Institutionalization Grant.
C. $150,000 CITIGROUP FOUNDATION to Birenbaum, H., for “The Role of Information Technology in the Education of Disadvantaged Students.” [Increase]

HUNTER COLLEGE

A. $719,950 NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES to Mallon, G. and Gould, K., School of Social Work, for “Independent Living Network.”
B. $524,420 NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES to Pasquale, G., Brookdale Center on Aging, for “Local District Training and Support.”
C. $504,673 NYC DEPARTMENT OF MENTAL HEALTH to Salmon, R. and Graziano, R., School of Social Work, for “An Education Program for Minority Social Workers.”
D. $455,985 NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES to Pasquale, G., Brookdale Center on Aging, for “Protective Services for Adults Training Resource System.”
E. $284,936 PHS/NIH/NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES to Mootoo, D., Chemistry, for “Synthesis of Stable Galacto Disaccharide Mimetics.”
F. $264,000 NYC MENTAL HEALTH, MENTAL RETARDATION & ALCOHOLISM SERVICES to Bromberg, E., School of Social Work, for “Training in Intensive Case Management.”
G. $221,813 PHS/NIH/NATIONAL CANCER INSTITUTE to Foster, D. and Bargonetti, J., Biological Sciences, for “Mitogenic Signaling through RAL A and Phospholipase D.”
I. $160,000 NEW YORK COMMUNITY TRUST to Rendon, D., Nursing, for “Hunter-Bellevue Nursing Fund.”
J. $105,906 NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES to Pasquale, G., Brookdale Center on Aging, for “Adult Care Facility Training Resources System (DOH).”

JOHN JAY COLLEGE

A. $1,109,287 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) to Jacobs, N., Criminal Justice Research and Evaluation Center, for “National Center for the Advancement of Prevention (NCAP). . . .”

LEHMAN COLLEGE

A. $633,681 NEW YORK CITY BOARD OF EDUCATION to Bruni, J., for “Summer 2001 Teaching Fellows
NEW YORK STATE DEPARTMENT OF EDUCATION to Wolfe, M. and Campos, A., for “Adult Learning Center.”

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT to Lundeen, E. and Frederickson, K., for “The Hispanic Serving Institution Assisting Communities Program.”

NEW YORK CITY HUMAN RESOURCES ADMINISTRATION to Paull, M., for “Professional Training Academy.”

NEW YORK CITY TECHNICAL COLLEGE

US DEPARTMENT OF EDUCATION to Hudesman, J., for “Comprehensive Freshman Year Program.”

US DEPARTMENT OF EDUCATION to LaPerla, J., for “Developing Hispanic-Serving Institutions Program, Electronic Portfolios Project.”

QUEENS COLLEGE

NIH/NATIONAL HEART, LUNG AND BLOOD INSTITUTE to Bittman, R., Chemistry and Biochemistry Department, for “Structural Properties of Membranes.”

NIH/NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES to Zakeri, Z., Biology Department, for “QCC-NIH Bridges to the Future.”

NATIONAL SCIENCE FOUNDATION to Liang, Z., Sociology Department, for “RUI: China International Migration Project.”

QUEENSBOROUGH COMMUNITY COLLEGE

NATIONAL INSTITUTE OF HEALTH to Schneider, P., for “QCC-NIH Bridges to the Future.”

THE COLLEGE OF STATEN ISLAND

NYSED to Kijne, H., for “EDGE Plus-English Language Instruction (ELI).”

NYS HIGHER ED. SERVICES to Ciaccio, L. and Sanders, J., for “HESC GEAR-UP College for Me.”

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

1. I would also like to greet Trustee Hugo Morales and Trustee Carol Robles-Roman. It is wonderful to meet you and we look forward to working with you. We also look forward to working with Trustee-designate Valerie Lancaster Beal. Thank you all for agreeing to serve on this worthy Board. We will be in touch with all of our new Trustees over the next few weeks to set up meetings regarding orientation activities and committee work.

I will miss the spirited discussion that we had at our subcommittee meetings and the Board meetings. John Morning has always been eloquent, on point, always expressing his views in ways that he deeply believes, a man of great conviction. John, we will certainly miss you and we certainly will be working with you even though you will be leaving the Board.

And, George Rios, so much applies to you as well. You have been indefatigable. I don’t know if you have ever missed a meeting, both committee meetings and Board meetings, and you have always been there with advice and counsel. We will miss you dearly.
And Bernard Sohmer, who is a dear friend, whom I have known for so many years and I guess I, as I have said before, will miss our discussions on mathematics. But we will still have that opportunity in years ahead.

2. Mr. Philip Barry, an officer of Colgate Palmolive, has been appointed to the CUNY Construction Fund by Mayor Bloomberg, replacing David Brand, and we look forward to working with him as well.

3. With respect to where the State Legislature is on the State budget, we know that the collective bargaining pay bill has been passed by the Senate. The immigrant student legislation bill which we have so strongly supported here at the central administration has also passed the Senate, and we are also working on federal legislation that will list similar restrictions on the student legislation. We expect the Assembly to return tomorrow and to take up these bills as well, and other CUNY matters.

I commend Governor George Pataki, Senator Joseph Bruno and Senator Pedro Espada for their very strong work on the immigration bill, and we are working with Assemblymen Peter Rivera and Adriano Espaillat to move that as well. We are not sure if the Senate will reconvene on Wednesday as we thought that they may, but if indeed they do, we expect them to take up these matters as well.

4. I am pleased to announce that the Governor has signed the legislation to rename New York City Technical College the New York City College of Technology. It is a permutation of the last two letters of TC, going from CT to TC, so I know that President Beaufait is very pleased with that. He has been very strongly supportive of trying to get the right branding for the now New York City College of Technology and we will join the Governor in his offices on Friday, July 12th for that important signing ceremony.

5. I have spoken several times to this Board about my deep concerns about the budget that we will start spending down on July 1st. We do know that there are very clear signals with the assault on confidence that investors have had about the consolidated financial statements of major companies, of the continuing violence and uncertainty in the Middle East, the falling dollar against major European and Asian currencies, and corporate earnings problems. All of these bode poorly for both the State and the City of New York with their deficits to support the legitimate needs of this University and we are deeply concerned, not only about the viability of the current approved budget, whether it will last through the fiscal year, but what may happen next fiscal year. The presidents and I have had several discussions about this. We will talk a little bit more about this in the body of the meeting when we get to some policy matters that I think will influence our ability to deal with impending problems, both in the budget that was approved and the outer years. It is something that we have to be deeply concerned about, have to be ready to deal with, and to insure that the core business of this University is sustained so that the students who come here to be educated on a daily basis are given the opportunities that all of us around this table so deeply are committed to do.

On the City budget side, we are pleased that the City Council has provided about $5.5 million in restorations for the Vallone Scholarship Fund, with the accruals and fund balances, limited as they are in that account, we should be fine this year in providing the kinds of support that we have seen before.

We got restored about $2.9 million in the community colleges’ operating budget which is something that we fought very hard for and we were successful. I am pleased to inform all of you that we have received over $21 million in capital appropriations for our community colleges and our senior colleges through the good work of the City Council and we will get out to all of you the summary sheets, the ledgers associated with where these dollars are going to go.

6. Joseph Grano, a member of the CUNY Leadership Council, was just named by President Bush to chair the President’s Homeland Security Advisory Council and when I was up to see him for breakfast the other day I asked him if sometime in the fall he would provide a public lecture on the things that he is doing and the kinds of things that he is concerned about. I also left with a very nice gift for the Honors College from UBS Payne Webber, where he is the chairman and CEO of that important company.

7. I am pleased to tell you that we have accepted 343 students into the CUNY Honors College that will start here in September 2002. You have heard me say that this is the second year of operation. We have had over 2,500 students apply for this coveted new institution within the CUNY family. The students that were accepted have SAT
scores of 1,325, very strong academic records, splendid activities beyond just their academic values, and certainly the coattail effect. The students who unfortunately were not admitted but got to meet our faculty and got to see the institutions connected with the University are coming in record numbers. We expect a very large class, a freshman class starting in 2002. Our application rates are at record levels and we are going to have a very, very strong enrollment starting in 2002 and the quality of the students that are coming in continues to improve in very dramatic ways.

8. All of you have seen the very good results of the teacher certification examinations, both the LAST, which is a liberal arts and science test and the ATSW, which is a pedagogy test. It was only a few years ago where this Board lamented the fact that too many of our students were not passing the test, and were not able to provide the necessary credentials. I am pleased to say that within a five-year period we have taken the average scores, which were in the mid-70’s to over 90% of our students passing, which I think is a great tribute to Executive Vice Chancellor Louise Mirrer, who really spearheaded this, and University Dean for Teacher Education Nicholas Michelli, who filled this new position two years ago. Both of them, in addition to the faculty that worked so hard to turn this around and the college presidents that made the commitment to do the kinds of things that were necessary, really need the applause of all of us.

9. I am also pleased to tell you that we are working very hard with all of our presidents to bring fund raising to a level not seen at this University before. You have heard me and Vice Chairman Schmidt talk about at some point announcing a very aggressive campaign for The City University of New York. That is in its planning stage, but we have started with the fundamentals to insure that all of our campuses have the minimal set of architecture in place to make sure that they can do the very basics of resource development through alumni and friends of the institution and other institutions as well. We are moving aggressively to bring together that architecture and I would like to believe that in the next few months we will be in a position to do things that this University has never done before. I am also delighted by the phone calls that I continue to receive from our presidents telling me about levels of giving that we haven’t seen before and I think much of it is about the heightened awareness that CUNY really needs to be much more in the mainstream of higher education, not to be viewed as a one or two asset institution, but to expand its asset base through the kind of work that we are starting to do now.

10. I will be meeting with each college president starting in the next couple of weeks to set goals and targets for the next academic year and the indicators of those goals and targets. All of you know that we are taking performance assessment by our executives in a very serious way and I am just delighted to report to all of you that the presidents and their senior staff are really rising to the occasion and I think at the end our University is going to be stronger for that.

11. I would like to publicly thank President Antonio Perez and the members of the Chancellor’s Nursing Task Force for their excellent report, Closing the Nursing Gap. That is a report that is going to have some impact on the status of nursing education in this University and the degree to which we can help health care institutions in the City and State to provide them with the necessary tools and the kind of training that we are going to do.

12. Lastly, I would just call your attention to two particular pamphlets. One, We have changed the conversation about The City University of New York is just a series of snapshots of some of the publicity that the University has received before for this academic year. I think this is something that we can all be very proud of. The other is this splendid newspaper, CUNY Matters, which is something we are very proud of and really just gives so much of a snapshot on what is happening in the University.

13. Let me just conclude by saying that for me it has been truly a pleasure this year to see the University continue to make progress in areas that I think we all knew needed attention. This all comes together when we attend our commencements and this year we had over 29,000 students receiving their degrees from this great University. It is a great tribute to our faculty, it is a great tribute to our staff, and it is wonderful to have our Trustees and presidents, and friends of the University all working together, having started this year with probably the most horrific event that has ever occurred here on the mainland of these United States, and to see where this University is able to migrate over the past several months.
Vice Chairman Schmidt stated that I know I speak for my colleagues when we express our appreciation for the leadership that you have brought to the University, not only in the past year, but throughout your tenure. The progress the University continues to make is remarkable, by any comparative or institutional or even absolute standard and I think I speak for my colleagues when I express our appreciation to you and to everyone here in the chancellery, the presidents and the campus leaders, and the faculty. This is definitely a University that is purposeful and deeply serious, aware of its crucial mission, and making really very impressive progress on any number of fronts. I am sure there are a number of trustees who wonder, as I do, what you could do if we were able to give the University the resources that it sorely needs. But in these difficult times the progress is very impressive indeed.

President Edison Jackson stated that as the president having the second longest tenure in this University, I would like to offer on behalf of the presidents and colleagues of this great University, words of commendation and gratitude to Chancellor Matthew Goldstein for his visionary leadership and for providing the kind of challenges to make this a far better University. Matthew has made this University a university of choice and we position this University to become the premier urban university that it is capable of becoming. Because of your leadership we are far better as a university and students who come to our institution to have their lives transformed are being transformed in such a marvelous way and we simply thank you for your leadership and for what you are doing for this City. Thank you.

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 through 3, 4.A. through 4.J., 5, 6.A. through 6.G, and 7 and 8)

NO. 1. UNIVERSITY REPORT: RESOLVED, That the University Report for June 24, 2002 (including Addendum Items) be approved:

NO. 2. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for June 24, 2002 (including Addendum Items) be approved:

NO. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the regular Board meetings and Executive Session of May 28, 2002 be approved.

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

A. BARUCH COLLEGE – NETWORK INFRASTRUCTURE INITIATIVE (NII) – PHASE I:

RESOLVED, That the Board of Trustees of The City University of New York authorize Baruch College to issue purchase orders to Communications Supply Corporation for cable associated hardware under existing New York State Contract No. PT57879, which expires July 23, 2004, pursuant to law and University regulations; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize Baruch College to issue purchase orders to Washington Computer Services for the installation of wiring and cabling under existing New York State Contract No. PT00343, which expires June 26, 2002, pursuant to law and University regulations; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize Baruch College to issue purchase orders to Exenet Technologies, Inc., for network electronics and installation services under existing New York State Contract Nos. PT59009, which expires January 17, 2007, and PT59010, which expires January 17, 2010, pursuant to law and University regulations; and be it further

RESOLVED, That the total of all such purchases shall not exceed a cost of $1,010,000 chargeable to Capital Project No. 238340.

EXPLANATION: Baruch College has developed an Information Technology Plan to provide a network infrastructure for students, faculty, and staff. Phase I will upgrade network wiring and electronics for high-speed data communications in the Library Building and the South Campus Complex, which houses the College administration,
academic programs, continuing education, lecture halls, and classrooms. The wiring will create and connect to a gigabit backbone that will allow high speed switching capabilities and will facilitate electronic communication, access to the Internet and to the College’s e-mail servers, web servers, various databases, and multimedia applications.

B. LEHMAN COLLEGE – NETWORK INFRASTRUCTURE INITIATIVE (NII) – PHASE II:

RESOLVED, That the Board of Trustees of The City University of New York authorize Lehman College to purchase project management services, computer cabling, and installation services, from IBM Corporation under existing New York State Contract No. PS00374, for the term of the contract which expires September 30, 2003, pursuant to law and University regulations; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize Lehman College to purchase network switches and routers from IBM Corporation under existing New York State Contract No. PT59009, for the term of the contract which expires January 17, 2007, pursuant to law and University regulations; and be it further

RESOLVED, That the total of all such purchases shall not exceed a cost of $1,000,000, chargeable to Capital Project No. 238340.

EXPLANATION: On January 29, 2001, Cal. No. 4.B., the Board approved the first phase of Lehman College’s multi-year information technology plan to upgrade its network infrastructure for faculty, staff, and students. This second phase involves wiring and electronics upgrades to connect student laboratories and faculty and administrative offices to the existing campus-wide backbone network. The wiring will allow high speed switching capabilities and will facilitate electronic communication, access to the Internet and to the College’s e-mail servers, web servers, various servers, and multimedia applications.

C. THE COLLEGE OF STATEN ISLAND – NETWORK INFRASTRUCTURE INITIATIVE (NII):

RESOLVED, That the Board of Trustees of The City University of New York authorize The College of Staten Island to issue purchase orders to Compaq Computer Corporation for installation services against existing State of New York Contract No. PS56283, for the term of that contract, which expires on September 30, 2003, 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 issue purchase orders to Cisco Systems, Inc., for network switches and routers against existing State of New York Contract No. PT59009, for the term of that contract, which expires on January 17, 2007, pursuant to law and University regulations; and be it further

RESOLVED, That the total of both such purchases shall not exceed a cost of $800,000, chargeable to Capital Project No. 238300.

EXPLANATION: On February 22, 1999, Cal. No. 4.C., the Board approved the first phase of The College of Staten Island’s multi-year information technology plan to upgrade its network infrastructure for faculty, staff, and students. On October 25, 1999, Cal. No. 4.E., the Board approved the second phase of such plan. On May 22, 2000, Cal. No. 5.B., the Board approved the third phase of such plan. This fourth phase involves network electronic upgrading to create a faster, redundant and more secure network backbone including network switches and routers. The backbone will provide high-speed switching capabilities within the College and will facilitate electronic communication and provide sufficient capacity for other initiatives such as access to the College’s video servers, academic multimedia software servers and various multimedia applications using voice, video and data for information dissemination.
D. THE CITY UNIVERSITY OF NEW YORK (CENTRAL OFFICE) – UNIVERSITY INITIATIVE FOR THE PURCHASE OF COMPUTER EQUIPMENT:

WHEREAS, New York State law permits the Board of Trustees of The City University of New York (the “University”) to make purchases through contracts let by the federal government, the State of New York, the City of New York or the Board of Education of the City of New York; and

WHEREAS, The University is committed to provide state-of-the-art technology to every faculty member, maximizing computer access for students, streamlining administrative applications at the colleges of the University (the “Colleges”) and effectuating cross-campus compatibility in computer hardware, software, applications and connectivity; and

WHEREAS, The University is committed to decreasing costs through volume purchasing where appropriate; and

WHEREAS, The Chancellor wishes to streamline the procurement process for colleges; and

WHEREAS, By similar resolution dated September 24, 2001, Cal. No. 4.A., the Board of Trustees authorized the colleges to undertake volume purchasing of computer equipment for the fiscal year ending June 30, 2002, in the amount of $15,000,000, which prior initiative was successful in moving towards its stated goals; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York authorize the colleges to purchase workstations, servers, networking equipment, related peripheral devices, software, maintenance and professional services under any of existing federal government or State of New York or City of New York or Board of Education of the City of New York contracts pursuant to law and University regulations. Such purchases shall not exceed a total estimated cost of $15,000,000, chargeable to New York State Capital or Operating Budget or New York City Capital or Operating Budget during the fiscal year ending June 30, 2003; and be it further

RESOLVED, That the colleges of The City University of New York submit proposed acquisitions under this resolution to the Office of the Chancellor for review.

E. THE CITY UNIVERSITY OF NEW YORK – UNIVERSITY INITIATIVE FOR THE UTILIZATION OF THE TECHNOLOGY FEE:

WHEREAS, By resolution dated February 25, 2002, Cal. No. 4.A., the Board of Trustees adopted several proposals to enhance administrative efficiencies, generate cost savings and provide additional revenue in support of the University’s core mission, including authorizing the colleges to establish a Technology Fee of $75 per semester for full-time students and $37.50 per semester for part-time students, such Technology Fee to be effective Fall 2002 and to be expended by the colleges to improve computer services for their students and faculty; and

WHEREAS, The estimated total annual revenue of the Technology Fee will be $22,500,000 (the “Technology Fee Funds”) which will be deposited in the University Technology Fee Funds Account; and

WHEREAS, New York State law permits the Board of Trustees of The City University of New York (the “University”) to make purchases through contracts let by the federal government, the State of New York, the City of New York, or the Board of Education of the City of New York; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York authorize each college to purchase computers, related peripheral equipment and software, under any of existing federal government or State of New York or City of New York or Board of Education of the City of New York contracts pursuant to law and University regulations. Such purchases shall not exceed $17,500,000 of the total Technology Fee Funds raised by the colleges and will be chargeable to the Technology Fee Funds Account during the fiscal year ending June 30, 2003.
F. THE CITY UNIVERSITY OF NEW YORK – BOARD POLICY ON PARKING FACILITIES:

RESOLVED, That the Board Policy on Parking Facilities be amended as follows:

BOARD POLICY ON PARKING FACILITIES

Governance

1. All college parking facilities that levy fees shall be managed and operated by the colleges’ Auxiliary Enterprise Corporations in accordance with this policy. [The Corporations shall operate these facilities in accordance with policies promulgated by The City University of New York.]

2. College Vice Presidents for Finance and Administration shall be responsible for overseeing the implementation of [University guidelines] this policy on parking facilities.

Fees, Reporting and Accountability

1. Parking operations shall be maintained [on a self-sustaining basis] through fees charged to the users. The use of tax-levy dollars in support of [self-sustaining] parking facilities must be requested and justified in writing to the University’s Vice Chancellor for Budget [,] and Finance [, and Information Services].

2. The revenues generated from the fees shall be managed by the Colleges’ Auxiliary Enterprise Boards, deposited in a College Auxiliary Enterprise Board controlled bank account, and used [solely] to pay the direct and indirect costs [e.g., parking decals, administrative, security, and maintenance services] incurred in operating the parking facilities. [Direct costs include any reimbursement of tax-levy expenditures which have been identified.]

3. A restricted reserve fund may be established for planned capital improvements and related future obligations for the parking operations [pursuant to guidelines promulgated by the City University].

4. Parking fees may range [from $15.00 to $150.00] up to $300.00 per annum in fiscal year 2002-2003 and up to $500 thereafter. Different fee rates for students, faculty, and staff (and for full- and part-time status), are permitted within the range. Different fees may also be charged for reserved spots and spots in different locations. Exceptions to this range may be permitted only under extraordinary circumstances and subject to the approval of the [Vice] Chancellor [for Budget, Finance, and Information Services] and the Board of Trustees.

5. [The fees charged for use of the parking facilities must be justified on a yearly basis with a planned budget detailing the expenditure items and corresponding costs attributable to these direct expenses. The fees charged should be commensurate with the budgeted expenditures and be approved by the College Vice President for Administration.]

6. [Changes in the fee structure must be justified in writing and submitted to the University’s Vice Chancellor for Budget, Finance, and Information Services for approval. An annual report of revenues, actual expenses, and any reserve funds shall be prepared for the parking operations. These annual reports and supporting cost documentation must be submitted to, and will be subject to review by, the University’s Office of Internal Audit.]

7. A control process for charging, billing and collecting fees must be established so that funds are properly accounted for. Controls should include prenumbered decals; reconciliation of fees collected to decals issued; safeguards over funds collected (use of Bursar’s Office for deposits); and parking decals. To the extent possible, segregation of duties should exist over these fees inasmuch as it is an important control function. Any other fees charged (i.e., fines, duplicate parking decals, etc.) must also have effective controls established.
[8.] 6. The parking operations will be reviewed yearly as part of the Board mandated independent audit of the Auxiliary Enterprises Corporation. The audit report shall contain a separate schedule detailing the revenues and expenditures reported by the colleges’ parking operations. A copy of the certified audit report will be provided on a yearly basis to the University’s Office of Internal Audit.

EXPLANATION: The Policy on Parking Facilities adopted by the Board on May 22, 1995, has been reviewed after seven years as to the authorized parking fee ranges and mandated procedures, and is being amended to conform to existing practices and to provide for increased flexibility for the colleges. The costs of parking facilities, including administrative, security, maintenance, and rental costs, require this increase in the range of parking fees. The revised fee range of up to $500 per annum keeps parking fees at a reasonable rate for the City of New York. References in the policy to further University guidelines have been deleted because the policy itself has proven sufficient.

G. NEW YORK CITY COLLEGE OF TECHNOLOGY – VOORHEES ENDOWMENT FUND:

RESOLVED, That the Board of Trustees of The City University of New York authorize the expenditure of a sum not to exceed $750,000, from income generated by the Voorhess Endowment Fund, for the purpose of providing instructional materials, equipment, and facilities renovations to support and improve technology education at New York City Technical College during the fiscal year ending June 30, 2003.

EXPLANATION: This is the fourth year of New York City College of Technology’s five-year $3.75 million instructional technology enhancement and procurement plan funded through the Voorhess Endowment Fund. In this year the College will spend $750,000 for the following purposes: computers ($50,000), equipment/materials ($415,000), library materials ($150,000), recruitment ($60,000), and facilities renovations for instructional technology ($75,000).

H. BOROUGH OF MANHATTAN COMMUNITY COLLEGE – PURCHASE OF GUARD SERVICES – 2002-2003:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Borough of Manhattan Community College to issue purchase orders to DAOR Security, Inc., for guard services against existing New York State Contract No. PS57229, for the term of that contract, which expires November 30, 2003, pursuant to law and University regulations. Such purchases shall not exceed $800,000 per fiscal year, chargeable to FAS Code 2-34801-409 and 2-70301-401.

EXPLANATION: This contract will provide twenty-four hour uniformed guard service for students, faculty, staff and college property.

I. LAGUARDIA COMMUNITY COLLEGE – JANITORIAL SERVICES CONTRACT:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a contract on behalf of LaGuardia Community College to purchase janitorial services. The contract shall be awarded to New York State Industries of the Disabled without competitive bidding and pursuant to law and University regulations. Such purchase shall not exceed a total estimated cost of $1,600,000, chargeable to FAS Code 217801404, during the fiscal year ending June 30, 2003. 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 will provide janitorial services for LaGuardia Community College. The College is making this procurement through New York State Finance Law Section 162. New York State Industries of the Disabled is a listed preferred source.
J. **LAGUARDIA COMMUNITY COLLEGE – LEASE PURCHASE OF CANON COPIER EQUIPMENT:**

RESOLVED, That the Board of Trustees of The City University of New York authorize LaGuardia Community College to issue purchase orders to Canon U.S.A., Inc., to lease purchase four Canon copier machines against existing General Services Administration Contract No. GS-25F-0023M, for the term of that contract, which expires September 30, 2006, pursuant to law and University regulations. Such lease purchase shall not exceed $600,000, chargeable to FAS Code 229601520, and payable in five equal parts over five fiscal years beginning July 1, 2002 and ending June 30, 2007.

**EXPLANATION:** LaGuardia Community College will use these Canon copiers in the print shop. The Canon lease purchase agreement includes full service maintenance and supplies for the term of the agreement. At the end of the sixty-month lease, the College will have the option to purchase the copiers.

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

A. **NEW YORK CITY COLLEGE OF TECHNOLOGY – BACHELOR OF TECHNOLOGY IN ARCHITECTURAL TECHNOLOGY:**

RESOLVED, That the program in Architectural Technology leading to the Bachelor of Technology degree to be offered at New York City College of Technology be approved, effective September 2002, subject to financial ability.

**EXPLANATION:** Since 1968, New York College of Technology has successfully offered an AAS degree in Architectural Technology enabling graduates to secure entry-level employment in the architectural and interior design fields. Traditional job opportunities for architectural technologists are being eclipsed by demands for multi-talented practitioners. The proposed B.Tech program addresses this need in the architectural profession for high-level technologists who can bridge the gap between the architectural technicians (AAS degree) and licensed architects.

Graduates of the program will be prepared to work in architectural, interior design, and construction firms in positions such as job captain, space planner, detail designer, computer assisted drafting and design (CADD) manager, field representative, renovation coordinator, and landmark preservation expeditor. The program specifically focuses on the technology of architecture as opposed to the architectural design of buildings. The program’s emphasis is on the renovation, rehabilitation, and preservation of existing buildings, which accounts for the majority (92%) of architectural work performed in the metropolitan area.

B. **BRONX COMMUNITY COLLEGE – CERTIFICATE IN MEDICAL ASSISTANT:**

RESOLVED, That the program in Medical Assistant leading to a Certificate to be offered at Bronx Community College be approved, effective September 2002, subject to financial ability.

**EXPLANATION:** Medical assisting is a multi-skilled allied health profession that requires technical training to provide point-of-care medical testing. Practitioners perform administrative and clinical procedures primarily in ambulatory settings such as medical offices and clinics. The purpose of the proposed program is to provide students with the essential knowledge and skills necessary for entry-level employment in medical offices, managed-care facilities, hospitals, medical clinics, and nursing homes. The program is designed to prepare students for the first step of a career ladder in the health services field.

All students are required to complete courses in cardiopulmonary resuscitation and phlebotomy. Upon completion of these courses, students may sit for certification examinations and receive certification credentials in these specialized skills. In addition, students will have the opportunity to continue their education and complete an associate degree.
C.1. CITY COLLEGE – MSED PROGRAMS IN TEACHER PREPARATION:

RESOLVED, That the following teacher preparation programs: 1. Middle School Education (Mathematics (5-9)), 2. Middle School Science (Biology (5-9), Chemistry (5-9), and Earth Science (5-9)), leading to the Master of Science in Education degree for initial certification and with Transitional B Certificate, 3. Middle School Education (Mathematics (5-9)), 4. Middle School Science (Biology (5-9), Chemistry (5-9), Earth Science (5-9), and Physics (5-9)), leading to the Master of Science in Education degree for professional certification at City College be approved, effective June 2002, subject to financial ability.

EXPLANATION: The proposed programs listed above (1 and 2) are designed to prepare students, who are graduates of baccalaureate programs but who did not complete an education sequence as undergraduates, for initial teacher certification. These programs will provide a more coherent educational experience for the “alternate route” students as well as align the College’s graduate teacher preparation for initial certification with New York State’s new certification requirements.

The proposed programs listed above (1 and 2) include the Transitional B Certification and are specifically designed to meet the needs of students who are enrolled in the New York City Teaching Fellows Program. The Teaching Fellows Program is an accelerated “alternate route” for selected candidates with a minimum undergraduate GPA of 3.0. These students receive intensive fieldwork in the first summer semester (during which they are enrolled in graduate courses). At the end of their intensive summer preparation, students are awarded a New York State Transitional B Certificate which allows them to begin teaching. During their first two years as teachers, the Teaching Fellows are enrolled in one of the graduate teacher preparation programs above and receive extensive mentoring by certified teachers and college field supervisors. Upon graduation from the master’s program, students are granted initial certification in education.

The proposed programs listed above (3 and 4) are designed for Graduate students in education who have completed the education sequence as part of their undergraduate degree and are seeking professional certification.

C.2. QUEENS COLLEGE – MSED PROGRAMS IN TEACHER PREPARATION:

RESOLVED, That the following teacher preparation programs: Adolescence Education, 1. English (7-12), 2. Mathematics (7-12), 3. Foreign Language (7-12) (French, Italian, and Spanish), 4. Science (7-12) (Biology, Chemistry, and Physics), and 5. Social Studies (7-12) with Transitional B Certificate, all leading to the Master of Science in Education degree for initial certification at Queens College be approved, effective June 2002, subject to financial ability.

EXPLANATION: The proposed programs are designed to prepare students, who are graduates of baccalaureate programs but who did not complete an education sequence as undergraduates, for initial teacher certification. These programs will provide a more coherent educational experience for the “alternate route” students as well as align the College’s graduate teacher preparation for initial certification with New York State’s new certification requirements. Graduate students in education who have completed the education sequence as part of their undergraduate degree will continue to enroll in the College’s existing degree programs.

The proposed programs include the Transitional B Certification and are specifically designed to meet the needs of students who are enrolled in the New York City Teaching Fellows Program. The Teaching Fellows Program is an accelerated “alternate route” for selected candidates with a minimum undergraduate GPA of 3.0. These students receive intensive fieldwork in the first summer semester (during which they are enrolled in graduate courses). At the end of their intensive summer preparation, students are awarded a New York State Transitional B Certificate which allows them to begin teaching. During their first two years as teachers, the Teaching Fellows are enrolled in one of the graduate teacher preparation programs above and receive extensive mentoring by certified teachers and college field supervisors. Upon graduation from the master’s program, students are granted initial certification in education.
C.3. THE COLLEGE OF STATEN ISLAND – MSED PROGRAMS IN TEACHER PREPARATION:

RESOLVED, That the following teacher preparation programs: 1. Childhood Education, 2. Adolescence Education (Biology, English, Mathematics, and Social Studies), 3. Special Education, 4. Childhood Education (with Transitional B Certificate), and 5. Adolescence Education (Biology, English, Mathematics, and Social Studies), with Transitional B Certificate, all leading to the Master of Science in Education degree for initial certification at The College of Staten Island be approved, effective June 2002, subject to financial ability.

EXPLANATION: The proposed programs are designed to prepare students, who are graduates of baccalaureate programs but who did not complete an education sequence as undergraduates, for initial teacher certification. These programs will provide a more coherent educational experience for the “alternate route” students as well as align the College’s graduate teacher preparation for initial certification with New York State’s new certification requirements. Graduate students in education who have completed the education sequence as part of their undergraduate degree will continue to enroll in the College’s existing degree programs.

The proposed programs (4 and 5) listed above, that include the Transitional B Certificate, are specifically designed to meet the needs of students who are enrolled in the New York City Teaching Fellows Program. The Teaching Fellows Program is an accelerated “alternate route” for selected candidates with a minimum undergraduate GPA of 3.0. These students receive intensive fieldwork in the first summer semester (during which they are enrolled in graduate courses). At the end of their intensive summer preparation, students are awarded a New York State Transitional B Certificate which allows them to begin teaching. During their first two years as teachers, the Teaching Fellows are enrolled in one of the graduate teacher preparation programs above and receive extensive mentoring by certified teachers and college field supervisors. Upon graduation from the master’s program, students are granted initial certification in education.

D. BARUCH COLLEGE – CENTER FOR INTEGRITY IN FINANCIAL REPORTING:

RESOLVED, That the Center for Integrity in Financial Reporting be established at Baruch College in accordance with the Policy Guidelines for Research Centers, Institutes, Consortia, and Special Initiatives set forth by the Board of Trustees in February 1995.

EXPLANATION: The purpose of the proposed center is to form a nexus of research and resources for public and scholarly examination of all aspects of society affected by financial transparency, audit, and corporate governance issues. The Center is designed to foster integrity in financial reporting through the sponsorship of conferences, research, and other scholarly activities, focusing on every aspect of the reporting process. In addition, the Center will provide advice and consultation that encourages ethical conduct by and for participants in the financial markets, including: corporations (executives, boards of directors, and auditors), individual and institutional investors (brokers, bankers, and security analysts), and regulating institutions (stock exchanges, professional associations, government agencies, and the courts).

E. LEHMAN COLLEGE – BACHELOR OF BUSINESS ADMINISTRATION (BBA) IN BUSINESS ADMINISTRATION:

RESOLVED, That the program in Business Administration leading to the Bachelor of Business Administration (BBA) degree to be offered at Lehman College be approved, effective September 2002, subject to financial ability; and be it further

RESOLVED, That a Master Plan amendment be approved for Lehman College to offer the BBA degree in Business Administration.

EXPLANATION: The purpose of the proposed program is to provide students with the knowledge and skills necessary to function effectively in today’s rapidly changing business environment. The program emphasizes the art and science of planning, organizing, and leading organizations, whether private or public, for-profit or not-for-profit.
Within CUNY, only Baruch College offers a program leading to the Bachelor of Business Administration degree. Over the past several years there has been an increased demand for the BBA program and Baruch College cannot continue to accommodate all students and still meet the high standards of the BBA program. Thus Baruch College will not be negatively affected by a BBA program offered at Lehman College.

The proposed program builds upon an existing BA program in Economics with a specialization in Business Management. Only two new courses are required to offer the BBA degree at Lehman College. All of the remaining courses are already offered on a regularly scheduled basis at the College. Therefore, the program will be cost effective as well as an appropriate addition to the College’s academic program offerings.

Since this is the College’s first registration request for a BBA degree, the New York State Education Department requires that a Master Plan amendment be approved for Lehman College to offer this degree award.

NO. 6. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved:

A. BARUCH COLLEGE – ESTABLISHMENT OF THE IRWIN AND ARLENE ETTINGER CHAIR IN ACCOUNTANCY AT THE ZICKLIN SCHOOL OF BUSINESS:

RESOLVED, That the Board of Trustees of The City University of New York authorize the establishment of the Irwin and Arlene Ettinger Chair in Accountancy at the Zicklin School of Business at Bernard M. Baruch College.

EXPLANATION: Irwin R. Ettinger (Class of 1958) has been a loyal alumnus, friend and supporter of Baruch College and has served with distinction as a member of the Board of Trustees and the Executive Committee of the Baruch College Fund. He has a distinguished career in finance and business and is currently Chief Accounting and Tax Officer at Citigroup, Inc. Irwin and his wife Arlene have provided a generous gift of $1 million to endow a chair in accountancy.

The purpose of this chair is to attract or retain an outstanding senior faculty member in the Stan Ross Department of Accountancy. Criteria for selection, in addition to the appropriate academic credentials, will include a significant scholarly publication record in accountancy.

The income from the endowment shall be used at the discretion of the President to provide an annual salary supplement and/or funds for research support, equipment or supplies.

B. HOSTOS COMMUNITY COLLEGE – RENAMING OF THE HOSTOS COMMUNITY COLLEGE ADVISORY COUNCIL, INC. THE EUGENIO MARIA DE HOSTOS COMMUNITY COLLEGE FOUNDATION:

RESOLVED, That the Board of Trustees of The City University of New York recognize the incorporation of the Hostos Community College Advisory Council Inc., and approve the use of “Eugenio Maria de Hostos Community College” in the Council’s new name which will be the Eugenio Maria de Hostos Community College Foundation.

EXPLANATION: The Advisory Council was formed in 1981 by Eugenio Maria de Hostos Community College, with the assistance of the CUNY General Counsel, to support and advance the educational and research activities of the College by raising funds through contributions and grants to the College. Apparently due to an oversight, the Board’s approval of the use of the Eugenio Maria de Hostos Community College name was not obtained at that time. The Council now intends to change its name to reflect its role as the official college foundation. The amendments to its Certificate of Incorporation and its Bylaws will be reviewed by the University Office of General Counsel.

C. BRONX COMMUNITY COLLEGE – RENAMING OF GOULD HALL OF TECHNOLOGY TO THE CARL J. POLOWCYK HALL:

RESOLVED, That the Board of Trustees of The City University of New York approve the renaming of Gould Hall of Technology to “The Carl J. Polowczyk Hall” at Bronx Community College.
EXPLANATION: Dr. Carl J. Polowczyk served Bronx Community College for 37 years starting in 1960. Prior to his appointment as Dean of Academic Affairs in 1978, Dr. Polowczyk served eight years as the Chairperson of the Chemistry Department and Chair of the College Senate.

During his tenure as Dean of Academic Affairs, Dr. Polowczyk was the vital center and bedrock of the College. His truly vast knowledge of BCC, CUNY and higher education throughout the country was matched only by his tireless support for faculty initiatives to enable all BCC's students to fulfill their academic and human potential.

Dr. Polowczyk was responsible for establishing many new programs including those in Radiological Technology, Nuclear Medicine, LPN, Telecommunications Technology, and Telecommunications Technology Verizon, as well as Paralegal Studies and Human Services.

He was also instrumental in increasing the number of grants awarded to the College. He supported the development of a major grants operation through nurturing a small grants and development operation into the most successful community college grants and development operation in CUNY.

It is a fitting tribute to the memory of Dr. Polowczyk that the Gould Hall of Technology be named The Carl J. Polowczyk Hall.

The President strongly supports this resolution.

D. QUEENS COLLEGE – RENAMING OF THE PRESIDENT’S CONFERENCE ROOM 1 THE ALEXANDER BRAGINSKY CONFERENCE ROOM IN THE BENJAMIN ROSENTHAL LIBRARY:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the President’s Conference Room 1 of the Benjamin Rosenthal Library at Queens College, the “Alexander Braginsky Conference Room” in memory of Alexander Braginsky, a 1987 Queens College alumnus.

EXPLANATION: Alexander Braginsky, a member of the Queens College Class of 1987, died in the September 11, 2001 terrorist attack on the World Trade Center. He had been employed by the news organization Reuters America. Both he and his mother, Nelly Braginsky, immigrated to the United States from Russia. Alexander had often expressed his gratitude for the excellent education he had received at the College.

The Reuters Foundation and Mrs. Nelly Braginsky have donated $500,000 to the Queens College Foundation in memory of Alexander Braginsky to establish a book fund. This donation will be used to establish the Alexander Braginsky Book Fund, which shall be used to purchase books primarily in literature and journalism selected by the College’s Chief Librarian. In addition, Reuters America will provide two paid internships for journalism students available for a period of four years, beginning with the summer of 2003.

The Reuters Foundation and Mrs. Braginsky have pledged the sum of $100,000 to the Queens College Foundation to establish a scholarship fund in her son’s name. The terms of the contemplated Braginsky Scholarship Endowment Fund, which are under discussion, will comply with applicable University policies. The Braginsky Scholarship Endowment Fund will be administered by the Queens College Foundation.

The naming of the President’s Conference Room 1 is fitting tribute to Alexander Braginsky’s memory and recognizes the depth of support given to Queens College by the Braginsky family.

E. LEHMAN COLLEGE – AMENDMENT TO THE GOVERNANCE PLAN:

RESOLVED, That the following amendment adding subdivision 3 to Section IV(A) of the Lehman College Governance Plan be approved:

3. Promotion to Full Professor
Nominations for promotion to full professor shall be forwarded to the College Committee on Faculty Personnel and Budget by the chairperson of the department when there is a positive recommendation of the departmental Committee on Personnel and Budget.

NOTE: Matter underlined is new.

EXPLANATION: The proposed amendment to the Lehman College Governance Plan has been approved by the Lehman College Senate and is recommended by the College President. The proposed amendment will require that promotions to full professor be initiated at the departmental level, rather than at the College-wide Personnel and Budget Committee (College P & B) level. Since an arbitration award was issued seven years ago declaring Lehman College's traditional practice of initiating the promotion process to full professor at the department level to be in conflict with the Board's Bylaws, Lehman College has tried having such promotions originate at the College P & B level. The Lehman College faculty and administration have now decided that they prefer the old method of having such promotions originate at the department level. This proposed amendment is recommended even though it has not been approved in accordance with the amendment process in the Lehman College Governance Plan, because it would be cumbersome, costly and possibly unachievable because of a requirement that 30% of the student body participate in a referendum with 75% approving. Next year the Governance Plan, which has not been amended since its adoption 30 years, will undergo a review process following which further changes are expected to be presented including to the amendment process.

F. DISTINGUISHED PROFESSORS: RESOLVED, That the following be designated Distinguished Professors in the departments, and the colleges, and for the period indicated, with compensation of $21,852 per annum in addition to their regular academic salaries, subject to financial ability:

<table>
<thead>
<tr>
<th>COLLEGES</th>
<th>NAMES</th>
<th>DEPARTMENT</th>
<th>EFFECTIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hunter College</td>
<td>Stuart Ewen</td>
<td>Film and Media Studies</td>
<td>September 1, 2002</td>
</tr>
<tr>
<td>The Graduate School and University Center</td>
<td>Michelle Fine</td>
<td>Psychology</td>
<td>September 1, 2002</td>
</tr>
<tr>
<td>Hunter College</td>
<td>Nicholas Freudenberg</td>
<td>Urban Public Health</td>
<td>September 1, 2002</td>
</tr>
<tr>
<td>The Graduate School and University Center</td>
<td>Victor Kolyvagin</td>
<td>Mathematics</td>
<td>September 1, 2002</td>
</tr>
<tr>
<td>The Graduate School and University Center</td>
<td>John Mollenkopf</td>
<td>Political Science</td>
<td>September 1, 2002</td>
</tr>
</tbody>
</table>

Trustee Curtis stated that I am delighted to announce that four of these distinguished scholars are here with us today. I would like to call on President Jennifer Raab of Hunter College and then President Frances Degen Horowitz of The Graduate Center to introduce them and say a few words.

President Raab stated that she would like to thank all the Trustees for giving us this opportunity at Hunter College to recognize truly extraordinary scholarships. I would also like to thank Chancellor Matthew Goldstein and Executive Vice Chancellor Louise Mirrer for their support through this process. We have been very lucky at Hunter College to have Stewart Ewen on our faculty since 1977 and he has also been a distinguished member of The CUNY Graduate Center. Dr. Ewen has had a profound effect on both the scholarly and general understanding of the impact of media on the American consciousness. The outstanding quality of his scholarship and his coherence as a body of work has helped create and refine the fields of media studies. His work has examined the social importance of visual images, public relations, and the pervasive influence of the media on public understanding of the world. Many of you know his work, Captains of Consciousness, which looks at the impact in the field of advertising on the social roots of consumer culture. We are now proud to have Dr. Ewen at the leadership of our new MFA program and we are really grateful, not just for his scholarship but his work as a mentor, as a teacher, and the long-
term chair of Film and Media Department and really at the helm of this department and its great success. So, I am very pleased today to introduce Dr. Ewen.

Dr. Ewen stated that first of all, I want to thank President Jennifer Raab, Chancellor Goldstein, Vice Chancellor Mirrer, the President's Committee, and the Board, for this great honor which is enormously important to me, particularly coming from CUNY. CUNY is my family tree. My mother is a graduate of Hunter College (1935), my father went to Brooklyn College (1933), and my son graduated from Hunter in 1999. I have many other relatives who I would like to mention but won't. I also want to thank my family, Distinguished Professor Liz Ewen from SUNY, my son Paul Ewen, who is here, and Sam Ewen, who is not here, he is busy working.

You know, it is interesting, when I was an undergraduate history major at the University of Wisconsin, nearly 40 years ago, the study of the media and popular culture were not really a part of the curriculum of most colleges and universities. In fact, knowing nothing about media and popular culture was generally understood as a sign of intelligence. I was to a certain extent the beneficiary of that absence. As a very young man, living in a society that was permeated by media and consumer culture, both its values and its discontents, I started as a young historian trying to figure out where this culture came from and have been working on that ever since. I am glad to say that whereas when I started it was a relatively lone enterprise, the study of medium popular culture has permeated universities on a global level and I feel humbled and honored to have been a part of that development. Thank you.

President Raab stated that our second distinguished professor is truly a distinguished citizen of Hunter College and of CUNY. Nicholas Freudenberg is a Professor in the Urban Public Health Program and has been the Director of the program from 1998 to the present. He was the Executive Director and the founder of the Hunter College Center on AIDS, Drugs, and Community Health from 1987 to 1998, and the founder and Director of our Community Environmental Health Center at Hunter College.

Professor Freudenberg is simply one of the most influential individuals in the United States in the field of health promotion for disadvantaged urban populations. The outstanding quality of his scholarship is reflected in his peer review publications and grants awards. Since 1987, the Center on AIDS, Drugs, and Community Health has received more than $15 million in external support for its research and training activities. Dr. Freudenberg's impact on the field of urban community health is extensive. His work has fundamentally changed the theory and practice of the field by shifting the focus of intervention from individual causes to the social and community based causes of ill health. The range of his work has covered environmental and behavioral links with public health issues, such as HIV prevention, health problems of inmates in a judicial system, structural determinants of substance abuse, self-management of asthma, and the impact of education on family health.

I would like to again say a special thanks for the recognition of Dr. Freudenberg because he is a distinguished professor in our professional schools and he has an impact as you can hear on every day health matters in this City. He is a really truly and extraordinary member of the CUNY community and I think this recognition is really very exciting for us.

Dr. Freudenberg stated that it is a great honor to be recognized today. A little more than twenty-five years ago I graduated from Hunter College in the program that I returned to teach in, and Hunter College gave me the opportunity to combine my commitment to social justice with my desire to make a contribution in public health research. And I have had the privilege of teaching and doing research at Hunter for the last twenty-two years. Unfortunately, for the last two decades, New York City has been one of the best places to do public health research and fortunately CUNY has really been an institution like no other to do that research. Both my colleagues and the students and our connections to communities, to City agencies, to community based organizations, have made it a tremendously exciting and rewarding place to work and I feel privileged to have been part of that. It is also an honor as a member of a professional school to be here today and to be recognized and I hope there will be further recognition of our wonderful professional programs, not only in public health but in nursing, law, social work, urban planning, and many other fields. Thank you, very much.

President Horowitz stated that I have the delightful pleasure today of introducing you to Professor Michelle Fine. Professor Fine was recommended for distinguished professor in recognition of the seminal work she has done on
matters related to race, gender, school reform, prison reform, and methodological innovations in the use of qualitative analysis in the behavioral sciences. The unanimity of opinion is that Michelle Fine, a social psychologist, is the reference name nationally and internationally for anyone working in these fields. She is prolific in her contributions, with her work invariably characterized as both intellectually profound and socially important. And by introducing voices from outside the academy, Michelle Fine’s research has enriched our understanding of the complexity of the social fabrics of our society and of the paramount importance of issues of social justice.

In addition to all of this, Michelle Fine is a dedicated mentor of students, a superb academic citizen, a committed member of the doctoral faculty in several programs, and a real champion of the purposes of this University. It is a privilege and a pleasure to introduce her to you.

Professor Fine stated that about ten years ago when I left the University of Pennsylvania, about ten minutes after being promoted to full professor, I decided that I wanted a real job at a real university, that dared to educate everybody. So when I was offered the position at The Graduate Center, I couldn’t say no. I have never lived to regret this. I could use a little more Xerox paper, we could use secretarial support. I have the most brilliant students I could ever imagine. I have the most gifted colleagues I could ever imagine. I have bold and courageous leadership during hard times and I assume during easy times, but I have never seen one here. I do work in public education in New York City, in the nation and internationally. I also do work on prison reform. It is a blessing to be able to do that work out of The City University of New York and it will help with some of the tougher conversations to say that I am a distinguished professor.

I am sorry my dad missed this, he passed away, but he would say this is “nachas”, this is a joy and a blessing for us all and he would also say you measure your wealth in how much you have changed the world. So I promise you that in my time at CUNY that it won’t be our income, but it will be our wealth in having to change the world and the world could use some changing. So, I thank you. I am honored.

President Horowitz stated that now I have the pleasure of introducing to you Professor John Mollenkopf. It is said of Professor Mollenkopf that his contributions to the study of urban politics have helped focus the evolution of that field for three decades. He succeeded as few others have in documenting and providing insight into the powerful dynamics of the factors that influence urban change and renewal in American cities, in illuminating the role of public policy and politics in matters related to city planning, economic development, patterns of crime, and the nature of participation in political processes.

Because of John Mollenkopf’s seminal and touch tone relevance in both the theoretical and applied aspects of his field, he is widely sought after as a collaborator by colleagues in diverse disciplines in this country and abroad. It is also a pleasure to mention that John Mollenkopf is a dedicated mentor for students and that he has given important and consistent service over the years to The Graduate Center and to The City University of New York. I am delighted to introduce to you our newly designated distinguished professor, John Mollenkopf.

Professor Mollenkopf stated that I would like to thank the Board and the presidents and President Horowitz for your support. I am just delighted to be here and in the midst of my other colleagues. Somewhat unexpectedly I completed my twentieth year at The City University just a few weeks ago, and if I have been able to accomplish anything in those twenty years it is because I have been inspired and challenged and supported warmly and deeply by The City University and I am extremely grateful. Thanks so much.

G. (Revised) THE CITY UNIVERSITY OF NEW YORK - 2002 EARLY RETIREMENT INCENTIVE PROGRAM:

WHEREAS, Chapter 69 of the Laws of 2002 has been approved by the New York State Legislature and signed by the Governor; and

WHEREAS, Chapter 69 of the Laws of 2002 has two parts, Part A and Part B, which offer different and exclusive incentives for retirement; and
WHEREAS, Part A of Chapter 69 of the Laws of 2002 provides that the Board of Trustees may elect to provide its employees the retirement incentive authorized therein; and

WHEREAS, Part B of Chapter 69 of the Laws of 2002 provides that the Board of Trustees must participate in this section of the law, but has the authority to establish the 90 day open period for participation by eligible employees; therefore, be it

RESOLVED, That the Board of Trustees of The City University of New York approves the participation of The City University of New York, including the senior and community colleges, in the Retirement Incentive Program provided by Part A of Chapter 69 of the Laws of 2002, and be it further

RESOLVED, With respect to the Retirement Incentive Program provided by Part A of Chapter 69 of the Laws of 2002, the full-time faculty will be eligible to participate and that other titles eligible to participate will be determined by the Chancellor; and be it further

RESOLVED, That the open period for “college faculty” as defined in Part A will commence on October 31, 2002 and conclude on January 28, 2003; and the open period for eligible employees other than “college faculty” will commence on October 3, 2002 and conclude on December 31, 2002; and be it further

RESOLVED, That there be a single open period for all eligible employees to participate in the program provided pursuant to Part B of Chapter 69 of the Laws of 2002, which will commence on October 31, 2002 and conclude on January 28, 2003; and be it further

RESOLVED, That the Chancellor is authorized to take all steps necessary to implement the Retirement Incentive Programs provided by Part A and Part B of Chapter 69 of the Laws of 2002 and that the Board of Trustees will receive appropriate reports on the impact of the Programs.

EXPLANATION: Part A of Chapter 69 of the Laws of 2002 grants the University the option to participate in the State's Early Retirement Incentive (ERI). The University is choosing to participate in the ERI with the goal of reshaping the faculty, consistent with the Master Plan.

The legislation provides certain eligible employees who are age 50 or over with at least 10 years of service the opportunity to retire. The legislation prescribes that the open period cannot exceed 90 days in length and further prescribes dates by which the open period must end for instructional staff and classified staff. The legislation also requires that the Board of Trustees must adopt a resolution to provide the retirement incentive on or before August 31, 2002.

Part B of Chapter 69 of the Laws of 2002 provides certain eligible employees who are age 55 or over with at least 25 years of service with a 90 day opportunity to retire without benefit reductions that would ordinarily be applied. The incentive is available to members of the New York State and local employees’ retirement system, the New York City teachers’ retirement system, the New York City Board of Education retirement system, and the New York City employees' retirement system. While the law does not give The City University of New York an option whether or not to participate in Part B, it does permit the Board of Trustees to designate the 90 day open period within which eligible employees may participate.

Chancellor Goldstein stated that the last time the University had an opportunity to participate in an early retirement initiative, I recommended to this Board that we not participate because I was fearful, given the way the language of the law was written, that at the end of the day it would compromise our ability to meet our master plan objectives specifically to stabilize and maintain, if not grow, our full-time faculty.

All of you around the table know that probably the most fundamental principle enacted in the University’s master plan was the principle that this University needed desperately and quickly to renew and grow our full-time faculty. Without having the kind of assurances that we would have the degrees of freedom to do just that, it seemed to me that I could not in good conscience recommend the ERI. We have, however, had extensive conversations with the Division of the
Budget and in particular with the senior members of the Governor’s office, including the Secretary to the Governor and Deputy Secretary to the Governor and others. Today I believe I can come to you to recommend the ERI. I recommend this to you with our intention to replace faculty that will participate in the ERI.

I think two things need to happen. One is that the University continues to try to renew our faculty. No university can continue to be viable unless it renews its faculty, brings in talent that is fresh to the University, and provides to those members of the new faculty a sense of purpose and expansiveness to the experience that our students have.

In part B the only thing that we could influence is when the open period would be designated. Other than that, if a faculty member satisfied the age requirement and the years of service requirement we were compelled to participate. That is not the case in part A where we do have degrees of freedom. It is our intention that for those faculty that will adopt to retire that we will make every effort to replace them, more with junior faculty then with senior faculty because another utility that we need to maximize here is to try to be prudent in the way in which we manage our fiscal affairs. So, I bring this recommendation to you today with the full faith and confidence that barring any unforeseen problems that we have financially, that we will make every effort that we can to manage this with our presidents. So for those faculty that leave we intend to replace them.

Trustee Curtis stated that he would like to share with the Board an additional matter that was reported at the June committee meeting regarding the Executive Compensation Plan. Under the terms of the plan which was approved by the Board in May 2000, executive salary ranges are to be adjusted periodically based on increases provided by New York State to its management and confidential employees. Based on recent New York State management and confidential increases of 3.5% in April 2001 and 2002, CUNY executive ranges have been adjusted by one or both of these increases. These adjustments will allow CUNY to maintain competitive salaries while also addressing issues of salary compression that have occurred since the plan was implemented. This is a range adjustment only and does not result in automatic salary increases to executive staff.

Having said that I would like to publicly recognize Vice Chancellor Brenda Malone for her outstanding contributions to this chair, the Board, and the University. She has done a very difficult job well, without shrinking from responsibility and with tremendous managerial sagacity.

NO. 7. COMMITTEE ON FACILITIES, PLANNING, AND MANAGEMENT: RESOLVED, That the following items be approved:

A. KINGSBOROUGH COMMUNITY COLLEGE – WAREHOUSE MEZZANINE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a consultant contract with the firm of Schwartz Architects for professional design and construction-related services as required for the Warehouse Mezzanine at Kingsborough Community College, CUNY Project No. KG121-098. The contract cost shall be chargeable to the City Capital Budget, Project No. KG121-098, for an amount not to exceed $60,000. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Kingsborough Community College will engage Schwartz Architects to design a new mezzanine of approximately 4,000 gross square feet within the existing warehouse.

The proposed firm was selected in accordance with law and procedures established by the University.

B. THE CITY UNIVERSITY OF NEW YORK – SPACE FOR CAMPUS HIGH SCHOOLS AT THREE CUNY COLLEGES:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute leases/licensing agreements on behalf of Lehman College, York College, and City College/Borough of Manhattan Community College, with the New York City Board of Education, for classrooms, offices and support spaces for three new campus-affiliated high schools with the New York City Board of Education. These
leases/licensing agreements shall be subject to approval as to form by the University Office of Legal Affairs and General Counsel.

EXPLANATION: City University will provide space for new high schools at three University campuses in order to assist the New York City Board of Education in its need for space. These schools will be highly selective, expanding the slots for students seeking admissions to the City’s competitive high schools.

The High School at Lehman College will be located in 19,000 square feet of space in the Reservoir Building, and will focus on American Studies. Interior renovations for the High School at Lehman College will be the responsibility of the Board of Education; exterior renovations (roof and windows) will be the responsibility of the University.

The High School at York College will be located in approximately 22,000 square feet of space on the second floor of the Science Building, and will focus on the Sciences. The University is undertaking a major renovation of this building, and minor renovation needs of the High School at York College will be addressed by the University project.

The High School at City College will begin in the modular classrooms currently used by BMCC students (who will continue to use them for evening classes), and will focus on Math, Science and Engineering. No renovations for the High School at City College/BMCC are needed.

The High Schools will start with students in the ninth grade, and will add a grade each year thereafter. Additional space to accommodate this growth will be jointly coordinated between the Board of Education and the colleges. Full operating costs will be covered by the Board of Education.

C. MEDGAR EVERS COLLEGE – BEDFORD AVENUE LEASE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a new five-year lease, on behalf of Medgar Evers College, for approximately 3,500 square feet of space at 1665 Bedford Avenue, Brooklyn, New York. The lease shall be subject to approval as to form by the University Office of Legal Affairs and General Counsel.

EXPLANATION: The proposed new lease will help relieve the severe space shortage at the College. The College will use this space for administrative office space and student admissions. The base rent will be $64,750 per annum ($18.50/SF). The space is in move-in condition and the term will start upon occupancy by the College. The landlord will maintain building systems and be responsible for exterior and structural repairs. The University will be responsible for interior repairs and maintenance. The University will also reimburse the landlord for its share of increases in real estate taxes and operating escalations.

D. BOROUGH OF MANHATTAN COMMUNITY COLLEGE – JOHN STREET LEASE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the leasing of approximately 16,460 square feet of space, comprising the entire 11th and 12th Floors at 45 John Street, New York, New York, on behalf of Borough of Manhattan Community College, for a period not to exceed five years. The Board authorizes the Secretary of the Board to execute any and all documents necessary to effect the leasing of this space. All documents relating to this rental are subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The College’s credit-bearing academic courses and the Continuing Education/Training program need additional classrooms to ease the serious space problems that the College has endured at its main building since Fiterman Hall was destroyed on September 11, 2001.

Pursuant to the new lease, the College will use this space for classrooms and faculty offices. The main terms of the proposed lease are as follows:

Length of Lease: Five Years to start upon occupancy by College
Base Rent: Year 1: $522,605 per annum ($31.75/SF).
Year 2: $538,283.15 per annum ($32.71/SF).
Year 3: $554,431.65 per annum ($33.69/SF).
Year 4: $571,064.60 per annum ($34.70/SF).
Year 5: $588,196.54 per annum ($35.74/SF).

The 12th floor, which will be used primarily for classroom space, is in move-in condition. The landlord, at his cost, will renovate the 11th floor, which will be used for classrooms and offices. Landlord will provide cleaning and repairs. The University will reimburse the landlord for its share of taxes and utilities.

The rent for the first two years of this lease will be paid with funds received from the Federal Emergency Management Agency. The final three years will be paid by the College’s operating funds with support from the revenues received by the Continuing Education/Training programs.

E. THE CITY UNIVERSITY OF NEW YORK – AGREEMENT FOR CAPITAL PROJECT FINANCING WITH THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK:

RESOLVED, That the Board of Trustees of The City University of New York approve (i) the financing of certain capital facilities for The City University of New York (“University”) as set forth on the Fiscal Year 2002-2003 Capital Project Schedule attached hereto and incorporated by reference herein (the “FY 2003 Projects”) form the issuance of bonds by the Dormitory Authority of the State of New York (“Authority”) pursuant to a duly adopted Authority bond resolution (the “Bond Resolution”), and (ii) to execute the agreement relating to the Bond Resolution among the Authority, the City University Construction Fund and the University (“Agreement”) and any required Supplemental Agreement; and be it further

RESOLVED, That the City University Construction Fund be requested to approve and execute the Agreement; and be it further

RESOLVED, That, in conformity with Section 2.6 of the Bylaws of the University, the Secretary of the Board of Trustees is hereby authorized and directed to execute the Agreement and the Supplemental Agreement on behalf of the University and to cause the seal of the University to be affixed thereto; and be it further

RESOLVED, That the Chairperson or the Vice Chairperson of the Board of Trustees is hereby authorized to modify the Agreement and the Supplemental Agreement by deleting projects for which bond financing has not been approved by the State, or, with respect to Community College facilities, by the City and reallocating the respective amounts attributable thereto among the remaining FY 2003 Projects and by making such other changes as may be appropriate or necessary to give effect to this Resolution, upon information provided by the Vice Chancellor for Facilities Planning, Construction and Management and in accordance with advice of the General Counsel and Vice Chancellor for Legal Affairs, and that any such change shall be communicated to the Secretary of the Board of Trustees by the General Counsel and Vice Chancellor for Legal Affairs; and be it further

RESOLVED, That any one of the following officers of the University is hereby authorized and directed to execute on its behalf any certificate, agreement or other document required with respect to the issuance of any obligation by the Authority in connection with the FY 2003 Projects or the Agreement or Supplemental Agreement: the Secretary of the Board of Trustees, the Chancellor, the Senior Vice Chancellor and Chief Operating Officer, the Vice Chancellor for Budget, Finance and Administrative Computing, the Vice Chancellor for Facilities Planning, Construction and Management and the General Counsel and Vice Chancellor for Legal Affairs.

EXPLANATION: In accordance with the previously approved five-year capital plan of the University, appropriations and reappropriations to support the financing of the FY 2003 Projects by the Authority are included in the State budget for fiscal year 2003. The foregoing resolution authorizes the issuance of bonds for the FY 2003 Projects by the Authority.

A new series of revenue bonds will be structured pursuant to the recently enacted Article 5c of the State Finance Law which provides for the issuance of new bonds by the Authority (and four other State Authorities) which bonds would
be financed by State Personal Income Tax revenue payments. It is anticipated that these new revenue bonds would have a somewhat higher credit rating and hence result in lower interest costs.

The Dormitory Authority of the State of New York has scheduled a bond sale for late August/early September to provide $160 million of new funds for The City University five year capital plan. It is anticipated that a new agreement among the Authority, the City University Construction Fund and City University will be required by the Authority's Bond Counsel prior to the bond sale. This agreement will be equivalent to the existing Lease Agreements among the three entities that relate to past bond sales, except for the repayment provisions which future bond sales will be governed by a separate agreement between the State Budget Division and the Dormitory Authority.

NO. 8. COMMITTEE ON STUDENT AFFAIRS AND SPECIAL PROGRAMS: RESOLVED, That the following items be approved:

A. MEDGAR EVERS COLLEGE – STUDENT ACTIVITY FEE RE-EARMARKING:

RESOLVED, That the existing $35.85 student activity fee paid by all students at Medgar Evers College be maintained and re-earmarked effective Fall 2002 as follows:

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATING BODY</th>
<th>CURRENT FEE</th>
<th>PROPOSED FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Government</td>
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<td>College Association</td>
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<tr>
<td>University Student Senate</td>
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<tr>
<td>Total Student Activity Fee</td>
<td>$35.85</td>
<td>$35.85</td>
</tr>
</tbody>
</table>

and it further

RESOLVED, That the Summer Session Student Activity Fee shall be maintained at $10.85 and re-earmarked effective Summer 2002 as follows:

<table>
<thead>
<tr>
<th>SUMMER SESSION</th>
<th>CURRENT FEE</th>
<th>PROPOSED FEE</th>
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<tr>
<td>EARMARKED ALLOCATING BODY</td>
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</tr>
<tr>
<td>Student Government</td>
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<tr>
<td>College Association</td>
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<tr>
<td>University Student Senate</td>
<td>$0.85</td>
<td>$0.85</td>
</tr>
<tr>
<td>Total Student Activity Fee</td>
<td>$10.85</td>
<td>$10.85</td>
</tr>
</tbody>
</table>

EXPLANATION: This resolution represents a re-earmarking of the student activity fee paid by all students at Medgar Evers College. The College Association will now be the allocating body for a substantial portion of the student activity fee, instead of the student government allocating the entire College fee. This conforms with the fee allocation structures of the University’s other undergraduate institutions. There is no change in the total amount of the fees.

A student activity fee referendum was held in accordance with University Bylaw Section 16.12, in conjunction with student government elections held on April 22-24, 2002. The vote on the referendum to re-earmark the student activity fee was 115 in favor, 85 opposed, with 4.2% of the eligible students voting. The College President supports the change because the new fee structure will ensure stability in the distribution of student activity fees to support programs, events and services for the student body.

Within the $25.20 College Association fee, the following local earmarkings will exist: Clubs/Organizations ($4.20); Athletics ($7.35); Child Development ($1.05); Learning Center ($1.75); Administrative Overhead ($2.28);
Commencement ($1.92); Student Life and College-wide Events ($2.45); Publications & Media ($2.45); and Support Services ($1.75). Within the $7.00 Summer Session College Association fee, the following local earmarkings will exist: Student Life and College-wide Events ($2.00); Academic and Support Services ($2.00); Learning Center ($2.00); and Child Development ($1.00).

Local earmarkings at the College have been established and are subject to change at the College in accordance with the referendum process set forth in University Bylaw Section 16.12, provided there is no change in the total fee. The earmarkings set forth in the resolution may only be changed by further Board action.

B. BRONX COMMUNITY COLLEGE – STUDENT ACTIVITY FEE INCREASE:

RESOLVED. That the Bronx Community College student activity fee paid by full-time students be increased from $53.00 to $62.00 per semester and the part-time fee be increased from $28.00 to $37.00 per semester, effective the Fall 2002 semester, in accordance with the following schedule:

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATING BODY</th>
<th>CURRENT FEE</th>
<th>PROPOSED FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FT/PT</td>
<td>FT/PT</td>
</tr>
<tr>
<td>College Association</td>
<td>$45.15/23.15</td>
<td>$48.15/26.15</td>
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<tr>
<td>Child Development Center</td>
<td>$3.00/2.00</td>
<td>$5.00/4.00</td>
</tr>
<tr>
<td>Student Government</td>
<td>$4.00/2.00</td>
<td>$5.00/3.00</td>
</tr>
<tr>
<td>NYPIRG</td>
<td>$0.00/0.00</td>
<td>$3.00/3.00</td>
</tr>
<tr>
<td>University Student Senate</td>
<td>$0.85/0.85</td>
<td>$0.85/0.85</td>
</tr>
</tbody>
</table>

Total Student Activity Fee | $53.00/28.00 | $62.00/37.00 |

The summer session student activity fee shall remain at $25.00, with $2.00 allocated by the Child Development Center, $2.00 allocated by Student Government, $0.85 allocated by the University Student Senate, and $20.15 allocated by the College Association.

EXPLANATION: The student activity fee schedule represents a $9.00 increase in the full-time and part-time student activity fees. Three dollars of the increase will be allocated by the College Association, of which $2.00 will be earmarked for the Student Center and $1.00 for Athletics and $1.00 of the increase will be allocated by Student Government. In addition, $3.00 of the increase will be earmarked to establish a New York Public Interest Research Group, Inc. (NYPIRG) fee at the College. NYPIRG fees must be used for activities that directly benefit Bronx Community College students.

A student activity fee referendum was held in accordance with University Bylaw Section 16.12, in conjunction with student government elections held on April 22-27, 2002. The vote on the referendum was 818 in favor and 397 opposed to the increase, with 16% of the eligible students voting on the referendum. The College President supports the student activity fee increase. Other than a new fee for student health services, the student activity fee has not been increased since 1986.

Within the College Association fee, the following local earmarkings will exist for full-time and part-time students: Athletics ($6.00/$3.50); Student Center ($13.00/$8.00); Senior Affairs ($3.00/$1.50); Breakage ($2.50/$1.50); Music/Art ($2.00/$1.25); and Health Care ($3.00/$3.00). Within the $20.15 Summer Session College Association fee, the following local earmarkings will exist: $2.50 for Athletics, $6.00 for the Student Center, $1.50 for Senior Affairs, $1.50 for Breakage, and $1.25 for Music/Art.

The Child Development Center Board has 23 members, consisting of 14 faculty/staff, 7 student parents and 2 community members.

The student activity fees allocated by NYPIRG are refundable, in accordance with procedures subject to the approval of the College President.
Local earmarkings at the College have been established and are subject to change at the College in accordance with the referendum process set forth in University Bylaw Section 16.12, provided there is no change in the total fee. The earmarkings set forth in the resolution may only be changed by further Board action.

C. THE COLLEGE OF STATEN ISLAND – REVISION OF THE STUDENT GOVERNMENT CONSTITUTION (ARTICLES IV AND V(2) OF THE GOVERNANCE PLAN):

RESOLVED, That the proposed amendments to the Student Government Constitution, Articles IV and V(2) of the Governance Plan, of The College of Staten Island be approved.

NOTE: See Appendix C

EXPLANATION: The proposed amendments to the Student Government Constitution of The College of Staten Island, which is incorporated in the College Governance Plan as Articles IV and V(2), have been approved by the students in a referendum by a vote of 244 to 133, with 3.4% of the student body voting. The College President is recommending the adoption of these amendments even though the required 15% participation was not achieved in a referendum because the student government proposed and supports the changes; the participation rate was normal; and there was an effort to get the students to vote.

The revised constitution changes the apportionment of representation in student government and the minimum grade point averages (GPA) required for service. There will continue to be 20 representatives, but the allocation of seats will be changed from the current 12 freshmen and sophomores, 7 juniors and seniors, and 1 graduate to 9 freshmen and sophomores, 9 juniors and seniors, 1 graduate, and 1 at large. In order to serve as representatives, the GPA requirement is increased from 2.0 to 2.25 (graduate students need a 3.0), and the vice president, as well as the president will be required to have a 2.5 GPA. Students elected to office in the Spring 2002 elections will be to hold office until the end of their term of office under the former GPA requirements. In addition, the required student participation in a referendum to amend the student government constitution is reduced from 15% to 10%.

D. QUEENS COLLEGE – STUDENT ACTIVITY FEE INCREASE:

RESOLVED, That the student activity fees for the New York Public Interest Research Group Inc. (NYPIRG) paid by undergraduate Day Session and Evening Session students at Queens College be increased by $2.00 per semester, effective the Fall 2002 semester, in accordance with the following student activity fee schedules for (1) Undergraduate Day Session Students; and (2) Undergraduate Evening Session Students. The Summer Session and Graduate Student Activity Fee Schedules remain unchanged.

(1) UNDERGRADUATE DAY SESSION STUDENTS

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATION BODY</th>
<th>FULL-TIME</th>
<th>PART-TIME</th>
<th>SUMMER I</th>
<th>SUMMER II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Government</td>
<td>$5.08</td>
<td>$2.71</td>
<td>$1.05</td>
<td>$2.54</td>
</tr>
<tr>
<td>College Association</td>
<td>$9.42</td>
<td>$5.04</td>
<td>$1.95</td>
<td>$4.71</td>
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<tr>
<td>Student Services Corp.</td>
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<td>$20.00</td>
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<tr>
<td>Sports Allocation Board</td>
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<tr>
<td>Comm. for Disabled Students</td>
<td>$2.00</td>
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<td>$2.00</td>
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<tr>
<td>Child Development Center Board</td>
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<tr>
<td>NYPIRG</td>
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</tr>
<tr>
<td>USS</td>
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</tr>
<tr>
<td>Total Student Activity Fee</td>
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</table>
(2) UNDERGRADUATE EVIENING SESSION STUDENTS

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<tr>
<th>EARMARKED</th>
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<th>PART-TIME</th>
<th>SUMMER I</th>
<th>SUMMER II</th>
</tr>
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<td>Student Government</td>
<td>$5.08</td>
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<tr>
<td>College Association</td>
<td>$9.42</td>
<td>$5.04</td>
<td>$1.95</td>
<td>$4.71</td>
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<tr>
<td>Student Services Corp.</td>
<td>$56.00</td>
<td>$40.00</td>
<td>$20.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>Sports Allocation Board</td>
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<tr>
<td>Comm. for Disabled Students</td>
<td>$2.00</td>
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<td>$2.00</td>
<td>$2.00</td>
</tr>
<tr>
<td>Child Development Center Board</td>
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<td>$2.00</td>
<td>$2.00</td>
</tr>
<tr>
<td>NYPIRG</td>
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<td>$5.00</td>
<td>$3.00</td>
<td>$3.00</td>
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<tr>
<td>USS</td>
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</tr>
<tr>
<td><strong>Total Student Activity Fee</strong></td>
<td><strong>$93.35</strong></td>
<td><strong>$65.60</strong></td>
<td><strong>$40.85</strong></td>
<td><strong>$55.10</strong></td>
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</table>

(3) GRADUATE STUDENTS

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<tr>
<th>EARMARKED</th>
<th>FULL-TIME &amp; PART-TIME</th>
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</tr>
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<tr>
<td>Student Services Corp.</td>
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<tr>
<td>Sports Allocation Board</td>
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<td>$3.00</td>
</tr>
<tr>
<td>Comm. for Disabled Students</td>
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<tr>
<td>USS</td>
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</tr>
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<td><strong>Total Student Activity Fee</strong></td>
<td><strong>$57.10</strong></td>
<td><strong>$33.10</strong></td>
<td><strong>$47.10</strong></td>
</tr>
</tbody>
</table>

**EXPLANATION:** The above schedules represent an increase of $2.00 in the NYPIRG (New York Public Interest Research Group, Inc.) portions of the Undergraduate Day and Evening Student Activity Fees for the Fall and Spring semesters. This will increase the earmarking for NYPIRG from $3.00 to $5.00. NYPIRG fees must be used for activities that are for the benefit of Queens College students.

A referendum was held in accordance with University Bylaw Section 16.12, in conjunction with student government elections held April 15-18, 2002. The vote on the referendum was 978 in favor and 218 opposed, with 10% of the eligible students voting.

The governing boards of the allocation bodies for the Queens College student activity fees other than the student governments and the College Association have the following voting compositions (1) Student Services Corporation (student union board) – 11 faculty/administrators, 7 students, and 1 alumni; (2); Sports Allocation Board – 4 faculty/administrators, 6 students, and 1 alumni; (3) Committee for Disabled Students – 5 students, 1 member-at-large and the Dean of Students; and (4) Child Development Center Board – 6 faculty/administrators and 3 students.

The earmarkings to the allocating bodies as set forth in the resolution may only be changed by further Board action.

The student activity fees allocated by the Sports Allocation Board, the Child Care Board, and NYPIRG are refundable, in accordance with procedures subject to the approval of the College President.

**Vice Chairman Schmidt** stated that this concludes the first part of our public meeting. Before we go into Executive Session, I would like to personally and on behalf of my colleagues on the Board thank the Chancellor and his staff, the faculty and CUNY’s wonderful students for all their hard work and dedication over this past academic year. We
have a right to feel proud of our accomplishments but the work of building a great university is never done and much remains to work on. I want to wish everyone a pleasant and productive summer and we will see you all again in September.

Upon motions duly made, seconded and carried, the Public meeting was adjourned at 6:03 P.M. to go into Executive Session.

SECRETARY GENEVIEVE MULLIN
MINUTES OF THE EXECUTIVE SESSION OF THE BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK
HELD
JUNE 24, 2002

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

The Executive Session was called the to order at 6:05 P.M.

There were present:

   Benno C. Schmidt, Jr., Vice Chairman
   Rev. John S. Bonnici
   John J. Calandra
   Wellington Z. Chen
   Kenneth E. Cook
   Alfred B. Curtis, Jr.
   Joseph J. Lhota
   Randy M. Mastro
   Hugo M. Morales
   John Morning
   Carol A. Robles-Roman
   Nilda Soto Ruiz
   Jeffrey S. Wiesenfeld

Richard J. Nunez-Lawrence, ex officio

Secretary Genevieve Mullin
Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant
Lorrie Christian

Chancellor Matthew Goldstein
Executive Vice Chancellor Louise Mirrer
Vice Chancellor Jay Hershenson
Interim Vice Chancellor Ernesto Malave
Vice Chancellor Brenda Richardson Malone
Mr. Carmelo Batista, Jr.
Mr. Raymond O’Brien

The absence of Trustees Satish K. Babbar and Kathleen M. Pesile was excused.

The Board went into Executive Session to discuss collective bargaining contracts and other matters.

Upon motion duly made, seconded and carried, the Executive Session was adjourned at 6:29 P.M. to go into Public Session.

SECRETARY GENEVIEVE MULLIN
The Public Session reconvened at 6:30 P.M.

There were present:

John S. Bonnici
John J. Calandra
Wellington Z. Chen
Kenneth E. Cook
Alfred B. Curtis, Jr.
Joseph J. Lhota
Randy M. Mastro
Hugo M. Morales
John Morning
Carol A. Robles-Roman
Niida Soto Ruiz
Jeffrey S. Wiesenfeld

Richard J. Nunez-Lawrence, ex officio
Susan O'Malley, ex officio

Secretary Genevieve Mullin
Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant
Lorrie Christian
Towanda Lewis

Chancellor Matthew Goldstein
Executive Vice Chancellor Louise Mirrer
President Dolores Fernandez
President Ricardo Fernandez
President Edison O. Jackson
President Eduardo J. Marti
President Antonio Perez
President Jennifer Raab
President Carolyn G. Williams
President Gregory H. Williams
Dean Kristin Booth Glen
Vice Chancellor Jay Hershenson
Vice Chancellor Otis O. Hill
Vice Chancellor Emma E. Macari
Interim Vice Chancellor Ernesto Malave
Vice Chancellor Brenda Ernesto Malave

The absence of Vice Chairman Benno C. Schmidt, Jr., and Trustees Satish K. Babbar and Kathleen M. Pesile was excused.
At this point, Vice Chairman Schmidt had to leave the meeting. In his absence Trustee Nilda Soto Ruiz assumed the Chair.

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 4.K., 6.H., and 6.I.)

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

**K. THE CITY UNIVERSITY OF NEW YORK - RESOLUTION AUTHORIZING CHANGES IN TUITION POLICY:**

WHEREAS, Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. § 1623 makes undocumented and out-of-status students ineligible for the resident rate of tuition; and

WHEREAS, Student Advisory Memorandum No. 2001-02, dated November 2, 2001, announced that, in order to comply with federal law, The City University of New York would begin charging the non-resident rate of tuition to undocumented and out-of-status students in the spring term or semester; and

WHEREAS, In order to ease the financial hardship on students affected by the change in policy, the Chancellor directed that those students should automatically qualify for the University's Hardship Deferral Program; and

WHEREAS, The Chancellor has postponed the date by which such students must make their final payment under the Hardship Deferral Program, most recently until June 30, 2002, in order to permit the State Legislature to enact and the Governor to sign legislation that would create a new tuition category applicable to some or all of the affected students; and

WHEREAS, The Governor has proposed such legislation (copy attached), and it appears likely that it will be enacted shortly; be it therefore

RESOLVED, That the Board of Trustees of The City University of New York ratifies the prior change in policy, set forth in Student Advisory Memorandum No. 2001-02, dated November 2, 2001; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorizes the Chancellor to take such action as is necessary to implement any state law affecting tuition policy; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorizes the Chancellor to incorporate the above-referenced changes in tuition policy in revisions to the Tuition and Fee Manual.

**EXPLANATION:** In 1989 the University began treating as New York State residents for the purpose of tuition all undocumented or out-of-status alien students who could prove New York State residency for the previous 12 months or attended a New York City or State high school for the previous two semesters and who completed the “Undocumented or Out-of-Status Immigrant Affidavit” in compliance with the University’s Tuition and Fee Manual.

Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. § 1623, amended the immigration laws to provide: “Notwithstanding any other provision of law, an alien who is not lawfully present in the United States shall not be eligible on the basis of residence within a State (or political subdivision) for any postsecondary education benefit unless a citizen or national of the United States is eligible for such a benefit (in no less an amount, duration, and scope) without regard to whether the citizen or national is such a resident.” The legislative history of that provision states that pursuant to its terms, “illegal aliens are not eligible for in-state tuition at public institutions of higher education.” H.R. Rep. No. 104-828, 105th Cong., 2d Sess. (September 24, 1996) at 240.

On November 2, 2001, the University’s General Counsel and Vice Chancellor for Legal Affairs, with the approval of the Chancellor, issued Student Advisory Memorandum No. 2001-02, which announced that effective the following term, the University would change its prior tuition policy in order to comply with federal law and that undocumented and out-of-status students would be charged the non-resident rate of tuition. In order to lessen the financial burden
on students affected by this change in policy, the Chancellor subsequently directed that all such students would be automatically eligible for the University’s Hardship Deferral Program and could therefore delay paying the additional amount of tuition until a later date. That date was postponed twice, most recently until June 30, 2002 in order to await a possible legislative change in tuition policy.

Two other states, Texas and California, have established a tuition benefit that is available to undocumented and out-of-status students and that seeks to comply with federal law. Similar legislation was introduced in New York by Assemblypersons Rivera and Espaillat and Senator Espada. The Chancellor has expressed his support for such legislation, and the enactment of a bill proposed by the Governor appears imminent. This resolution authorizes the Chancellor to implement such legislation. It also ratifies his prior action in bringing the University into compliance with federal law.

NO. 6. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved:


RESOLVED, That the collective bargaining agreement and the supplementary agreement covering Continuing Education between The City University of New York and the Professional Staff Congress/CUNY for the period August 1, 2000 through October 31, 2002, are hereby approved; and be it further

RESOLVED, That the collective bargaining agreement between The City University of New York and the New York State Nurses Association for the period October 1, 2000 through December 31, 2002 is hereby approved; and be it further

RESOLVED, That the collective bargaining agreement between The City University of New York and Local 384, District Council 37, covering employees at the EOCs for the period July 1, 2000 through September 30, 2002, is hereby approved; and be it further

RESOLVED, That the Chancellor is hereby authorized and directed to execute the collective bargaining agreement and the supplementary agreement covering Continuing Education with the Professional Staff Congress/CUNY, the collective bargaining agreement with the New York State Nurses Association, and the collective bargaining agreement with Local 384, District Council 37, covering employees at the Educational Opportunity Centers.

EXPLANATION: The prior collective bargaining agreements between The City University of New York and these three unions have expired. The prior agreement with the PSC expired on July 31, 2000. The prior agreement with the New York State Nurses Association expired on September 30, 2000. The prior collective bargaining agreement with Local 384, District Council 37, covering employees at the Educational Opportunity Centers expired on June 30, 2000. This resolution approves the successor 2000-2002 agreements.

NOTE: See Appendix E

I. THE CITY UNIVERSITY OF NEW YORK - TITLES OR DUTIES EXCLUDED FROM AGREEMENTS WITH THE PROFESSIONAL STAFF CONGRESS/CUNY:

RESOLVED, That effective August 1, 2000, the articles identified below of the August 1, 2000 – October 31, 2002 collective bargaining agreement between The City University of New York and the Professional Staff Congress/CUNY shall apply to employees, other than those in the Executive Compensation Plan, the Medical Series, and the Law School Series, in functions or titles that are otherwise excluded from the agreement pursuant to Article 1 thereof for the period August 1, 2000 through October 31, 2002. Such application shall prevail during the time of service of a
person in the designated titles or while the person is performing the functional duties that are the basis for exclusion from the agreement:

Article 1 Recognition (insofar as exclusions from the unit are identified)
Article 14 Leaves and Holidays (Except Section 14.9)
Article 16 Temporary Disability or Parental Leave
Article 17 Jury Duty
Article 24 Salary Schedules (in the regular appointment title, exclusive of remis)
Article 25 Research, Fellowship and Scholar Incentive Awards (for persons with faculty responsibility)
Article 26 Welfare Benefits
Article 27 Retirement
Article 29 Waiver of Tuition Fees
Article 30 Facilities and Services
Article 31 Rehiring of Persons Who Are Discontinued
Article 33 Faculty Development
Article 36 Resident Series
Article 42 Duration

and be it further

RESOLVED, That effective August 1, 2000, Articles 26 (Welfare Benefits), 27 (Retirement), and Article 34.1 or Article 35.1, as applicable, of the August 1, 2000 – October 31, 2002 collective bargaining agreement between The City University of New York and the Professional Staff Congress/CUNY shall apply to all employees in the Medical Series and the Law School Series, other than those in the Executive Compensation Plan, in the functions and titles that are excluded from the agreement pursuant to Article 1 thereof for the period August 1, 2000 through October 31, 2002. Such application shall prevail during the time of service of a person in the designated titles or while a person is performing the functional duties that are the basis for exclusion from the agreement; and be it further

RESOLVED, That with respect to articles of the aforesaid agreement not made applicable to the titles and functions referred to above, the Chancellor may issue such rules as he deems appropriate to regulate matters otherwise covered by the agreement.

EXPLANATION: In establishing the collective bargaining unit and during the course of subsequent negotiations with the Professional Staff Congress, certain employees of the University have been excluded from coverage under the agreement by virtue of their titles or functions, based upon the confidential, policy, or managerial responsibilities of the affected employees. University employees assigned to the titles or duties excluding them from the negotiated agreement, however, hold instructional staff titles that would otherwise be covered by the agreement. The University entering into a collective bargaining agreement did not intend to deprive its excluded employees of the provisions contained in the articles referred to in the resolution. The resolution is consistent with previous actions adopted following Board approval of the predecessor collective bargaining agreements.

Upon motions duly made, seconded and carried, the meeting was adjourned at 6:34 P.M.

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.)
THE COLLEGE OF STATEN ISLAND
GOVERNANCE PLAN

PREAMBLE

The College of Staten Island is a unit of The City University of New York under the jurisdiction of the Board of Trustees, its policies and by-laws, the collective bargaining agreements, and legal statutes. The College is an educational community that offers a full range of bachelor’s degree programs, master’s degrees in a number of liberal arts and professional disciplines, and, in selected fields, associate degrees that articulate with upper-division curricula. In addition, the College participates in the consortial doctoral programs offered by the CUNY Graduate Center.

Participation in the college community means that everyone has important, legitimate and respected roles and responsibilities in sustaining and furthering the goals of the College. This governance plan intends to preserve opportunity for voice and vote to the constituencies of the College: to further the ideals of collegiate governance which define institutions of higher learning. As a public, urban college, the College of Staten Island of The City University of New York believes that the intellectual, personal, ethical, professional and civic development of students remains at the heart of its mission. Equally, the College must support the intellectual and scholarly development of faculty in order to advance the course of knowledge. As the only public institution of higher learning on Staten Island, it must serve the wider community by providing continuing education, community programs, cultural and artistic events and athletic opportunities.

GOVERNANCE OF THE COLLEGE COMMUNITY

Article I. LEGISLATIVE BODIES

THE COLLEGE COUNCIL AND THE FACULTY SENATE

Section 1. The College Council: Establishment and Purpose

The College Council shall be responsible for the general interests of the college community; for the preservation of academic freedom; for committees which it supervises; for the convocation of the whole community in town meetings; for debate and recommendations on college organization, institutional planning and budget; and to receive and respond to information regarding larger educational and political issues affecting the College and University.

The operation of the Council shall be governed by the latest edition of ROBERT'S RULES OF ORDER, except where it conflicts with express provisions of the Governance Plan.

A quorum shall consist of more than half of the voting membership.

Seats for which vacancies exist shall not count for the purpose of computing a quorum.

Section 1a. Membership

(1) Members of the Faculty Senate (see section 2a).

(2) The 7 member Steering Committee of the Higher Education Officer's series (see section 3).

(3) The president of the Student Senate (or designee) and 7 student representatives, elected by the student body. Student representatives shall serve for one-year terms.

Members of the College Administration: the President; Chief Academic Officer; Deans of Science and Technology and of Humanities and Social Sciences and five additional administrators selected by the President.

Section 1b. Eligibility Requirements and Election Proceedings

(a) All full-time members of the instructional staff except those serving in visiting or substitute titles and those on retirement leave are eligible to serve and to vote in the election;

(b) A member of the instructional staff who has received a notice of non-reappointment or submitted a resignation shall not be eligible to participate in the election procedure.
(c) Student representatives must have a minimum grade point average of 2.0 at the time of their election and during their terms of office.

(d) Elections shall occur in May of each year for vacancies anticipated in the following academic year except that elections for student representatives shall occur when student government elections are held.

(e) Vacancies created by leaves, retirements, resignations, terminations, or failure to maintain eligibility requirements shall be filled by special election and/or designation, in accordance with the procedure used to fill the position formerly occupied by the Council member.

(f) Elections shall be supervised by the Committee on Organization of the College Council (see below).

(g) Council members may be recalled by a vote of two-thirds of the constituency they represent. A vacancy created by such recall shall be filled in accordance with the provisions of paragraph (d) of this section.

Section 1c. Organization and Meetings of the College Council

(a) The College Council shall meet at least once a month during the academic year and/or more often as its business requires.

(b) A special meeting may be called either upon petition to the Executive Committee by at least 20% of the membership of the body, or by the President. A petition shall state the purpose of the meeting.

(c) The College Council shall devise and adopt its own Bylaws, consistent with the provisions of the Governance Plan, the Bylaws of the Board of Trustees, and the policies of the Board.

(d) Upon approval of the Governance Plan by the Board of Trustees, the Executive Committee of the current College Council shall serve as an organization committee, and shall move with deliberate speed to develop procedures to assume responsibility for the development of procedures to implement the provisions of this document.

(e) There shall be an Executive Committee the members of which shall be elected by the members of the College Council for a two year term. The election process shall occur at the organizational meeting of the Council held in September.

Composition: Chairperson
Vice-Chairperson
Secretary
Two members serving at large
Chairperson of the Faculty Senate, ex-officio

Terms: Terms shall be staggered on the adoption of this charter with the length of term for the at-large representative initially set at one year.

Duties: (1) to carry out the business of the College Council between meetings.
(2) to implement resolutions, policy statements and recommendations of the College Council.
(3) to prepare an agenda for the approval of the College Council and to provide minutes of meetings.
(4) to consult with the President on a monthly basis with regard to general college business, selection of search committees for members of the Executive Pay Plan.
(5) to consult with the Chief Academic Officer regarding matters of general academic interest.

(6) Officers:

(a) The Chairperson shall preside over the College Council and the Executive Committee and represent the Council to all groups in and outside the College.
(b) The Vice-Chairperson shall preside over the College Council in the absence of the Chairperson and in the event that the chairperson cannot continue in office, shall assume the position of chair. The Vice-Chairperson shall insure that the standing committees meet regularly and perform their duties.

(c) The Secretary shall take the minutes of the College Council and Executive Committee meetings; to conduct Executive Committee correspondence at the direction of the Committee and to preside over the College Council in the absence of the Chairperson and Vice-Chairperson.

(f) Committees of the College Council

(1) Committee on Organization

Purpose: To oversee the operation of the Charter and by-laws of the governance of the College. To solicit nominations for elected positions. To conduct elections for council and committee positions. To recommend the membership composition of Council committees. To solicit nominations for Committees enumerated in Article V.

Membership: Five members to be elected by the College Council. Chair to be elected by the committee.

(2) By-Law Committee

Purpose: To conduct periodic reviews of the governance plan of the College and to recommend revisions and by-law changes; to develop procedures for the transformation of existing departments and creation of new departments in conjunction with the Institutional Planning Committee.

Membership: Four members to be elected at large; Chairs of the College Council, Faculty Senate, a co-chair of the Higher Education Officer Steering Committee (to be selected by the Committee); Two members appointed by the President; One student selected by the Student Senate and approved by the President.

(3) Administrative Review and Evaluation Committee

Purpose: To conduct ongoing evaluation of administrative posts and their incumbents and report findings to the Executive Committee and appropriate supervisors.

Membership: Five members elected at large. Chair to be elected by the committee.

(4) Institutional Planning Committee

Purpose: To review and assess the mission and goals of the College and recommend changes in academic offerings and educational programs.

Membership: Six members to be elected at large by the faculty with three from each division and no more than one from each department. Five members appointed by the President.

Chair: the President
(5) Budget Committee

Purpose: To work with the Administration on the formulation of the budget request; to advise on priorities for expenditure and to propose re-allocation as necessary; to report to the College Council about budget and fiscal issues affecting the College and the University.

Membership: Five members to be appointed by the Executive Committee; Chair appointed by the Executive Committee.

Section 2. The Faculty Senate: Establishment and Purpose

The Faculty Senate shall be responsible for the principal academic policy decisions of the College including admissions criteria, academic programs, degree requirements and graduation requirements. The faculty consists of all full-time members of the Instructional Staff serving in the titles of professor, associate professor, assistant professor, instructor and lecturer. Recommendations from the Faculty Senate regarding educational matters shall be forwarded to the College Council for information and to the Administration for action and/or implementation.

A quorum shall consist of more than half of the voting membership. Seats for which vacancies exist shall not count for the purpose of computing a quorum.

2a. Membership

(1) Chairs of academic departments, and one representative elected by each Department to serve for three year terms;

(2) Five full-time faculty members from each Division holding appointments in academic departments excluding those in titles in the Executive Compensation Plan elected at large to serve for three staggered year terms.

The two divisions are:

Division of Humanities and Social Sciences: Business; Education; English/Speech/World Literature; History; Media Culture; Modern Languages; Performing & Creative Arts; Political Science, Economics and Philosophy; Psychology; Sociology, Anthropology, and Social Work; Student Services.

Division of Science and Technology: Biology; Chemistry; Computer Science; Engineering Science and Physics; Library; Mathematics; Nursing;

When new departments are established they shall be assigned to a division or if abolished, removed therefrom.

(3) Two employees serving full-time in titles in the college laboratory technician series elected by all full time employees serving in titles in the college laboratory technician series to serve for three year terms;

(4) Two adjunct faculty members elected by the adjunct faculty for one-year terms. All adjunct members of the instructional staff are eligible to serve as representatives of the adjunct staff provided they remain active members of the staff, and do not hold full-time titles at the college.

(5) The President, the Chief Academic Officer and the two divisional deans;

2b. Eligibility and Timing of Elections

(1) Elections for departmental representatives shall coincide with elections for Chairpersons;

(2) At large elections shall occur in May of the preceding academic year;

(3) Faculty on visiting or substitute lines and faculty on retirement leave are ineligible to vote or hold office;

(4) A member of the faculty who has received a notice of non-reappointment or submitted a resignation shall not be eligible to participate in the election procedure.
Organization and Meetings of the Faculty Senate

(1) The College Faculty Senate shall devise and adopt its own Bylaws, consistent with the provisions of the Governance Plan, the Bylaws of the Board of Trustees, and the policies of the Board.

(2) Upon approval of the Governance Plan by the Board of Trustees, the current executive committee of the General Faculty shall serve as an organization committee, and shall move with deliberate speed to develop procedures to assume responsibility for the development of procedures to implement the provisions of this document.

(3) There shall be an Executive Committee elected for two year terms at the organizational meeting of the Senate in September of the academic year. The Executive Committee shall consist of:

   (a) A chairperson, a vice-chairperson, a secretary and one at-large member.
   (b) The chairperson will preside over the meetings of the Senate and represent the faculty to groups within and without the College as needed.
   (c) The Executive Committee shall prepare the agenda for the Senate, shall consult with the Chief Academic Officer and other academic officials, shall review curriculum proposals and shall provide minutes of decisions taken by the Senate.

(4) Meetings of the Faculty Senate shall occur monthly during the academic year or more often as its business requires. Meeting dates and times will be coordinated with College Council meetings where possible. A special meeting may be called either upon petition to the Executive Committee by at least 20% of the membership of the body, or by the President. A petition shall state the purpose of the meeting.

Committees of the Faculty Senate

(1) Admissions Committee

   Purpose: The Admissions Committee shall consider all matters affecting the admission of students to the College.

   Membership:

   1. Six faculty to be elected at large, with at least two from each Division for a three year term.
   2. Chair to be elected from members of the Committee.
   3. Three Staff members (without vote)
      The Director of Admissions
      The Director of Testing
      The Director of Advisement

(2) Curriculum Committees

   The College Curriculum Committees shall review, evaluate and recommend all departmental and inter-departmental undergraduate programs including majors, minors, pre-majors and concentrations and the courses within such programs. All departmental programs shall originate in the appropriate department. Interdisciplinary courses shall be considered by all involved departments and appropriate subcommittees.

   Decisions reached by the curriculum committees are forwarded to the Executive Committee of the Faculty Senate for presentation to and action by the Faculty Senate.

   (A) General Education Committee

   Purpose: The General Education Committee shall recommend, evaluate and review all college-wide curricula requirements including the courses which satisfy such requirements.
Membership:
(1) The Chair shall be the Chief Academic Officer or a designee selected from faculty appointed to academic departments.

(2) One faculty member elected in each academic department for a three-year term.

(3) Divisional deans.

(4) One undergraduate student elected by the College Council for a one-year term.

(B) Undergraduate Curriculum Committee

The Undergraduate Curriculum Committee shall recommend, evaluate, and review all departmental and inter-departmental undergraduate programs including majors, minors, pre-majors and concentrations and the courses within such programs. All departmental programs shall originate in the appropriate department.

Membership:
(1) Divisional Deans who shall serve as co-chairs.
(2) One faculty member elected in each academic department for a three-year term.
(3) Two representatives elected by the coordinators of undergraduate interdisciplinary programs.
(4) One undergraduate student member elected by the College Council for a one-year term.

(C) Graduate Studies Committee

The Graduate Studies Committee shall review, evaluate and recommend all graduate programs and courses. Departmental programs shall originate in the appropriate department or departments. In addition, the committee shall consider all matters affecting the academic standing of graduate students at the College.

Membership:
1. Membership shall be composed of coordinators of graduate programs; one faculty ex-officio from the Library.
2. Chair: The Chief Academic Officer or faculty designee.
3. Divisional Deans.
4. One graduate student elected by the College Council for a one-year term.

(3) Course and Standing Committee

The Course and Standing Committee shall consider all matters affecting the academic standing of undergraduate students at the College.

Membership:
1. The committee shall consist of the Chief Academic Officer or a designee who is a member of the faculty serving as Chairperson (ex officio) without vote. One member shall be a member of the staff of the Registrar's Office (ex officio). One member shall be elected from each academic department for a term of three years.
(4) Library Committee

Purpose: The Library Committee shall consider policy and serve as advisory to the Chief Librarian

Membership:
1. Chair and Convenor: The Chief Librarian
2. One faculty member selected in each Department for a three year term

(5) Research Committee

Purpose: To assess and review the research policies of the College, to recommend directions for research development and to advise the administration about ways to encourage and expand research opportunities.

Membership: Six faculty to be elected at large with three from each Division for three year terms. Chair to be elected by membership.

Section 3. The Higher Education Officer Steering Committee

The Higher Education Officer (HEO) series Steering Committee shall call and conduct meetings, coordinate HEO series activities, establish ad hoc committees, receive and distribute to all employees in the HEO series (HEO's) reports of its committees, serve as a vehicle for bringing HEO concerns to the President, College Council and other appropriate college constituencies.

Membership: The Higher Education Officer (HEO) series Steering Committee shall be composed of seven elected members from the HEO series staff. Members of the Committee shall serve for three-year terms to be staggered in accordance with procedures to be developed by the organizational committee described in section 1c (f)(1). Two co-chairs shall be elected by the committee each academic year.

Section 4. Meeting of the College Community

A special meeting of the college community may be called either upon petition to the Executive Committee by at least 10% of the Instructional Staff, or by the President. A petition shall state the purpose of the meeting.

ARTICLE II. PERSONNEL AND BUDGET COMMITTEE AND THE APPEALS COMMITTEE

A. College Personnel and Budget Committee

Section 1. Composition

There shall be a College-wide Personnel and Budget Committee composed of the elected chairpersons of the academic departments, the Chair of the Library Department, and the Chairperson of the Department of Student Services as voting members. The non-voting members shall be the President, the Chief Academic Officer and other full academic Deans. The President or in the absence of the President the Chief Academic Officer shall serve as chairperson of the Committee.

Section 2. Functions, Responsibilities, Procedures

The Committee shall receive recommendations for appointment, reappointment, reappointment with tenure, certificate of continuous employment, and promotion for members of the instructional staff in the titles of professor, associate professor, assistant professor, instructor, lecturer and titles in the college laboratory technician series, and shall recommend action thereon to the President. It shall also hear appeals from negative departmental recommendations. The Committee may also recommend to the President special salary increments. The President shall consider these decisions in making recommendations on such matters to the Board.

A three-member subcommittee, elected annually and including at least one member from each academic division, shall form the Budget Sub-Committee of the College Personnel and Budget Committee, charged with participating in
the formulation and allocation of the college budget and with proposing recommendations to the College Personnel and Budget Committee. The Budget sub-committee shall review the annual College budget request prepared by the President for the central administration and make suggestions and recommendations in the appropriate time period.

A six-member subcommittee on the allocation of faculty lines shall be elected annually. It shall be composed of three faculty elected from among the chairpersons (excluding the chairperson of the Department of Student Services), the two divisional deans and the Chief Academic Officer.

Minutes of the proceedings of the Committee shall be kept. Proceedings of the Committee shall be governed by the latest edition of ROBERT'S RULES OF ORDER, except where it conflicts with express provisions of the Governance Plan. All actions of the Committee will be voted by secret ballot and the results recorded in the minutes.

Records of all proceedings regarding a candidate will be available only to the committees and individuals responsible for review and recommendations for appointments, reappointments, reappointments with tenure, certificate of continuous employment and promotions.

Actions of the committee shall be communicated to candidates by the President or the Chief Academic Officer in accordance with procedures defined by the Board of Trustees. No reason shall be assigned for a negative recommendation. Affirmative recommendations shall be submitted to the President, as outlined in procedures defined by the Board of Trustees.

In any vote involving a recommendation for appointment, reappointment, reappointment with tenure, a certificate of continuous employment, and promotion, a majority of the whole number of voting members must be present and a majority of the whole number of voting members, in a secret ballot, must vote affirmatively to pass a positive recommendation.

The Personnel and Budget Committee may adopt internal procedures to aid in its deliberations consonant with Bylaws and policies of the Board of Trustees. Such procedures could include using sub-committees of the whole reflecting disciplinary clusters in Divisions to make recommendations regarding reappointment, tenure and promotion to the committee of the whole.

B. The Appeals Committee

1) Composition

The Appeals Committee shall be composed of six faculty to be elected by the faculty at-large from the tenured associate and full professorate in the College, and the Chief Academic Officer serving as chairperson with full voting rights. Divisional deans shall serve as members of the committee without vote. No voting member of the College Personnel and Budget Committee shall be a voting member of the Appeals Committee. Faculty serving in visiting or substitute titles, on retirement leave, or who have received notice of non reappointment or submitted their resignation are not eligible to serve on or to vote for faculty members of the Appeals Committee.

Two faculty shall be elected from each division with no more than one faculty member from each department. The term of office shall be three years, each term staggered at the outset by numbers of votes received. The individuals from each division receiving the next highest number of votes after the six faculty who are elected shall serve as alternates.

The Chief Academic Officer shall convene the Committee as needed.

2) Function

The Appeals Committee shall receive appeals from decisions of the College Personnel and Budget Committee rejecting positive departmental recommendations regarding reappointment, reappointment with tenure, certificate of continuous employment and promotion. The Committee shall make its recommendations to the President.

3) Procedures

The Appeals Committee shall keep minutes of its proceedings. Procedure shall conform to the latest edition of ROBERT'S RULES OF ORDER, except where it conflicts with express provisions of the Governance Plan. Ballot results, obtained by secret ballot, will become part of the minutes and records of proceedings with respect to a candidate shall be available only to committees and individuals responsible for review and recommendations on reappointments, promotion and tenure. The President or the Chief Academic Officer shall communicate to the
candidate the action of the Committee, in accordance with procedures outlined by the Board of Trustees. No reason shall be assigned for a negative recommendation. Affirmative recommendations shall be forwarded to the President in accordance with procedures defined by the Board of Trustees.

In all votes a majority of the whole number of voting members must be present, and a majority of the whole number of voting members, in a secret ballot, must vote affirmatively to pass a positive recommendation.

ARTICLE III. ORGANIZATION AND DUTIES OF FACULTY DEPARTMENTS

Section 1. Department Organization

a) Each department, subject to the provisions of the Board Bylaws and the College Governance Plan, shall have control of the educational policies of the department through the vote of all its faculty members. If the department so desires, it may, by a majority vote of the faculty, as defined in Article I, Section 2, of the department present and voting, enfranchise persons in visiting and substitute professorial titles and other members who have been appointed on an annual salary basis to vote on departmental matters other than the election of the appointments committee and the election of the chairperson. A faculty member who is retiring shall retain his or her voting rights during his or her last year of service before the commencement of retirement leave. A faculty member who has received notice of non-reappointment or submitted a resignation may not vote. Each department shall cooperate with related departments and with college agencies in general in the development and achievement of college-wide objectives.

b) The executive officer of the department shall be the department chairperson, who shall be a professor, associate professor or assistant professor elected by secret ballot for a term of three years. In determining those eligible to vote in departmental elections, no administrator serving in a title on the university's executive staff shall participate in such proceedings, nor be counted among those eligible to vote during the period of service in such title. Proxy or mail voting shall not be permitted. The candidate for department chairperson must be tenured or have been approved by the Board for tenure at the time of election, except in departments less than seven years old. Such elections shall be subject to the subsequent approval of the President and the Board. The present system of staggered departmental elections shall be continued. Each department chairperson shall be elected during the first full week in May at the expiration of the current term of office at a meeting at which a majority of the whole number of members of the department eligible to vote pursuant to Sections I a) and b) of this article are present, and a majority of the whole number of members eligible to vote, vote affirmatively. Chairpersons shall take office as of July 1 of the year in which they are elected and at three-year intervals thereafter. Vacancies shall be filled by election for the unexpired term.

c) In any case where the President does not approve the election of a department chairperson, or at such other time as the interests of the college may require the removal of a chairperson and the appointment of a new one, the President shall confer with the department and thereafter shall report to the Board of Trustees any subsequent action by the department with respect thereto, together with his/her own recommendation for a chairperson. In those cases where the department disagrees with the President's recommendation, it may submit its own report to the Board.

d) The library shall constitute an academic department of the college. For purposes of divisional representation, the library will be a part of the Division of Science and Technology. The chairperson thereof shall be designated by the President. Such chairperson, in addition to the duties of department chairperson as enumerated in Section 3 of this article, shall be charged with the administration of the library facilities of the college and shall perform such other duties as the President may assign. Such chairperson is hereby authorized to use the additional title of Chief Librarian.

e) The student services area shall constitute an academic department of the college. For the purposes of divisional representation, the Department of Student Services will be part of the Division of Humanities and Social Sciences. The chairperson thereof shall be the Chief Student Affairs Officer and shall be designated by the President. Such chairperson, in addition to the duties of department chairperson as enumerated in Section 3 of this article, shall be charged with the administration of the student services of the college and shall perform such other duties as the President may assign.

The Department of Student Services includes the SEEK Program (Search for Education, Elevation, and Knowledge). The SEEK director shall be appointed by the President of the College.

f) There shall be in each department an Appointments Committee consisting of the department chairperson and of four other faculty members. Four of the faculty members of the committee must be tenured except if the
The department has fewer than four such members. Faculty serving in visiting or substitute titles and those faculty on retirement leave, who have submitted a resignation or received notice of non-reappointment are not eligible to serve. The department chairperson shall be the chairperson of the Committee.

The four faculty members shall be elected by a majority vote of the faculty in the department. Election shall be held at the same time that the department chairperson is elected. A vacancy in the office of the chairperson prior to the expiration of the term of office when such vacancy necessitates an election for a new chairperson shall not affect the term of the committee.

In departments with fewer than four tenured faculty members, the President, after consultation with the departmental faculty, shall appoint an ad hoc committee to make recommendations on appointments with tenure in lieu of an Appointments Committee.

g) Each department may name such other committees as it chooses and shall have the fullest measure of autonomy consistent with the maintenance of general educational policy.

Section 2. Departmental Appointments Committee

The Appointments Committee shall be responsible for making recommendations for its faculty members and for titles in the College Laboratory Technician series concerning appointments, reappointments, tenure and budget. It shall also serve as a departmental Executive Committee. The department chairperson shall serve as chairperson of the departmental Appointments Committee.

The Committee shall keep minutes of its proceedings. The proceedings shall conform to the latest edition of ROBERT'S RULES OF ORDER. The actions of the Committee shall be by secret ballot and the results of the balloting shall be duly recorded in its minutes. All records of the proceedings with respect to a candidate shall be available only to the committees and individuals responsible for the review and recommendation of appointments, reappointments, promotions and tenure. It shall be the duty and responsibility of the chairperson to communicate to the candidate the action of the Committee in accordance with the procedures of the Board, but no reason shall be assigned for a negative recommendation. The affirmative recommendations of the Committee shall be submitted by the department chairperson to the President and College Personnel and Budget Committee in accordance with the procedures set forth in the Bylaws of the University.

Section 3. Duties of Department Chairperson

The department chairperson shall be the executive officer of the department and shall carry out the department's policies as well as those of the faculty and the Board of Trustees which are related to it. The chairperson shall provide leadership in the areas of teaching effectiveness, curriculum and program development, and in the fostering of collegial and professional relationships among the staff.

More specifically, the chairperson shall: 1) be responsible for departmental records, 2) assign courses to and arrange programs of instructional staff members of the department, 3) be responsible for the recruitment of faculty subject to the approval of the department Appointments Committee, 4) represent the department before the College Council and the Faculty Senate, the College Personnel and Budget Committee, the faculty and the Board of Trustees, 5) preside at meetings of the department, 6) be responsible for the work of the department's Appointments Committee, 7) prepare the tentative departmental budget, subject to the approval by the department's Executive Committee, 8) transmit the tentative Departmental budget to the President with his/her own recommendation, 9) arrange for careful observation and guidance of the department's instructional staff members, in accordance with the provisions of the collective bargaining agreement, 10) make a full report to the President and to the College Personnel and Budget Committee of the action taken by the department Appointments Committee when recommending an appointee for tenure on the following: a) teaching effectiveness, b) professional and creative work, c) service to the department, college, profession, and community, 11) hold evaluation conferences in accordance with the provisions of the collective bargaining agreement, and 12) generally supervise and administer the department.

Section 4. Appointments

a) Recommendations for appointment of faculty to a department shall be initiated by the department. The President may also initiate a recommendation for appointment in accordance with responsibilities as listed in section 11.4 of the Bylaws of The University. The President may recommend that such appointee be designated as department chairperson. Such recommendation by the President for appointment and designation as department chairperson may be made either at the time of election of department chairperson or at such other time as the educational interests of the college may require. Before recommending such appointment or designation, the
President shall confer with the members of the department and with the College Personnel and Budget Committee.

b) All appointments and reappointments of faculty and reappointments with tenure to a department shall be recommended to the College Personnel and Budget Committee by the chairperson of the department after consultation with the President in accordance with the vote of the majority of the members of the department’s Appointments Committee. A minority of any Appointments Committee shall have power to submit a minority recommendation to the College Personnel and Budget Committee.

c) All appointments and reappointments of faculty, individuals in titles in the College Laboratory Technician series and reappointments with tenure to a department, shall be recommended to the President by the College Personnel and Budget Committee in accordance with the vote of the majority of the members of the Committee. A minority of the Committee shall have power to submit a minority recommendation to the President.

Appeals from negative recommendations of the College Personnel and Budget Committee may be initiated pursuant to the provisions of Article II, section B.

Section 5. Promotions

Promotions to the rank of assistant professor, associate professor and full professor shall be recommended to the College Personnel and Budget Committee by the chairperson of the department only after an affirmative vote of a majority of all faculty members of the department, as defined in Article I, Section 2, holding rank higher than the rank of the candidate under consideration. Faculty serving in visiting or substitute titles, and faculty notified of non-reappointment, who have submitted resignations or on retirement leave are not eligible to serve on a promotions committee.

In departments containing fewer than three full professors, promotion to the rank of full professor shall be recommended by all full professors and associate professors in the department.

A minority of any departmental promotion committee shall have the power to submit a minority recommendation to the College Committee on Personnel and Budget. A candidate for promotion who fails to receive an affirmative recommendation from the departmental committee shall have the right to appeal to the College Personnel and Budget Committee.

Section 6. Voting Procedures

a) No administrator in a title on the University’s executive staff shall be eligible to vote for, serve, or be counted in determining a quorum or toward any required majority involving any departmental committee, including the Appointments Committee, the office of the chairperson or departmental recommendation on promotion.

b) A vote of a simple majority, a quorum being present, is necessary to enfranchise visiting and substitute faculty to vote on departmental matters, pursuant to Article III, Section I a).

c) Election of Chairpersons and Department Appointments Committee: In an election for department chairperson and the members of the department Appointments Committee, a majority of the whole number of members of the department eligible to vote pursuant to Section I a) and b) of this article, must be present at the time of the vote, and a majority of the whole number of members eligible to vote, must vote affirmatively.

d) Affirmative votes on appointments, reappointments, reappointments with tenure, and certificates of continuous employment: In any vote involving a recommendation for appointment, reappointment, reappointment with tenure, and a certificate of continuous employment, a majority of the whole number of voting members must be present, and a majority of the whole number of voting members, in secret ballot, must vote affirmatively to pass a positive recommendation.

e) Affirmative votes on promotion: In a vote involving a departmental recommendation for promotion, a majority of faculty eligible to vote pursuant to Section 5 of this article must be present and voting; provided, however, that eligible faculty on fellowship leave or leave for special purpose who are not present at the time of the vote, shall not be counted to establish a quorum or the whole number of voting members. An affirmative recommendation shall be by a majority vote.

In a vote involving a promotion recommendation by the College Personnel and Budget Committee and the College Appeals Committee, a majority of the whole number of voting members must be present, and a majority of the whole number of voting members, in secret ballot, must vote affirmatively to pass a positive recommendation.
Meetings of the entire Department and Department Committees: The conduct of the proceedings, including the determination of a quorum and of a majority affirmative vote, shall conform to the latest edition of ROBERT'S RULES OF ORDER.

Tie Votes: A tie vote in a case affecting an appointment, a reappointment or a promotion shall be considered as a failure of the motion to prevail. Tie votes or a failure to achieve a majority in the election of a department chairperson or for representation on Appointments Committees or on the Faculty Senate shall be resolved by action of the President.

Section 7. Procedures for Department Committees

Each department committee shall keep minutes of its proceedings. The proceedings shall conform to the latest edition of ROBERT'S RULES OF ORDER. It is the responsibility of the department chairperson, except as specified above, to circulate the minutes of each departmental committee to all members of the department.

Article IV. CONSTITUTION OF THE STUDENT GOVERNMENT

Section 1. Guiding Principle

The College of Staten Island of The City University of New York hereby establishes the Student Government of the College in accordance with Article XV and Article XVI of the Bylaws of the Board of Trustees, which enumerates the principles and procedures governing the rights, conduct, and organizations of students. As formulators of this constitution, we impose our intention upon all officers charged with its enforcement: That they shall govern impartially and grant funds and services equitably to all qualified students under the aegis of the College.

Section 2. Name

The responsibility for government shall be entrusted to one body, the Student Government.

Section 3. Eligibility for Franchise and for Office

All students who pay their student activity fee shall be eligible to vote. All voters in good academic standing and with at least a 2.25 grade-point average shall be eligible for nomination and for office. A 3.0 grade-point average is required for the Graduate Seat. For the positions of President and Vice President a 2.5 grade-point average shall be required. If at any time the grade-point average of a student elected to the Student Government falls below 2.25 or 3.0 for Graduate seat, said student will be automatically dropped from the Student Government. If the grade-point average of the President or Vice President falls below 2.5 said student will no longer be eligible to hold the position of President or Vice President and a new election from among the Student Government members will be held to fill the vacancy. In order to serve each semester a student must have completed and earned passing grades in at least 50% of the credits for which they registered the prior semester, but in no event less than 3 credits.

Section 4. Student Government

a) Membership

The Student Government shall be composed of 20 representatives as follows:

1) One graduate student;

2) Nine students from the junior and senior classes of the college;

3) Nine students from the freshman and sophomore classes of the college. Freshmen must have completed a minimum of one full semester completing no less than six matriculated credits to run and serve;
4) One at large student representative.

b) Elections

An annual election shall be held during the month of April. A special election to fill vacancies shall be held by the last week in October. Subsequent vacancies shall be filled during the second week of November and the first meeting of March by a majority vote of the senators currently serving on the Student Government after a minimum of one week’s appropriate public notice.

c) Terms of Office

Senators elected in the annual election shall hold office beginning June 1 and ending May 31 of the following year.

Senators elected by special election shall hold office for the remainder of the academic year. The term of office for all Senators shall automatically expire upon graduation, withdrawal, or dismissal from the college. Undergraduate students may not serve in Student Government for more than a total of five years. Students shall be permitted to serve in the same office in Student Government for a maximum of two years.

Any Senator absent from a total of four meetings during the fall semester which will include the first two meetings in June, or three meetings during the spring semester shall be automatically removed from office.

d) Meetings

1) Regular Meetings. The Student Government shall hold regular meetings during the first and second weeks of the fall semester and at least every second week thereafter, and during the first and second weeks of the spring semester and at least every second week thereafter, except upon waiver by two-thirds of the Student Government.

2) Special Meetings. Special meetings may be called by the president of the Student Government, or by a petition signed by one-third of the Student Government, or by a petition signed by 500 members of the student body. Special meetings are defined as ones at which one item of business is discussed. Notification of such meetings must be made in writing to all senators at least three business days prior to such a meeting.

3) Town Hall Meetings. Town Hall meetings shall be held a minimum of one time per semester. The President of the Student Government shall be responsible for convening these meetings.

4) Quorum. One-half of the total senators currently serving shall constitute a quorum.

5) Parliamentary Rules. Procedures shall accord with the latest edition of ROBERT’S RULES OF ORDER, except when inconsistent with this Constitution, Article XV of the Bylaws of the Board of Trustees and the laws of the City, State and Nation.

e) Duties and Responsibilities

The Student Government shall:

1) Elect the President and Vice President of the Student Government and the chairpersons of its commissions;

2) Approve the composition, but not the specific names of commission memberships;
3) Consider disciplinary action against any officer, senator, commission member, or any other person responsible to and under the jurisdiction of the Student Government, on receipt of formal written charges by the Student Government. (The Student Government must act on the charges within ten days of receipt. The latest edition of ROBERT'S RULES OF ORDER shall prevail at hearings or trials.);

4) Advise and inform the student body, the faculty, and the administration on pertinent matters; and advocate for the student body;

5) Investigate and act on any matter affecting the general welfare of the student body;

6) Direct the president of the Student Government as to the implementation of any measure enacted by the Student Government;

7) Refer any pertinent matter to a referendum of the student body;

8) Call meetings of the student body, pursuant to Section 4(d) of this constitution;

9) Remove from office any Senator who has missed a total of four meetings during the fall semester which will include the first two meetings in June, or three meetings during the spring semester;

10) Determine the disposition of the earmarked student activity fee where Student Government is designated as the allocating body pursuant to Article XV and Article XVI of the Bylaws of the Board of Trustees which provide for a public hearing;

11) Charter or otherwise authorize teams (excluding intercollegiate), publications, organizations, associations, clubs or chapters, and refuse, suspend, or revoke any charter or authorization for cause after a hearing;

12) Delegate responsibility for the implementation of its specific functions hereunder to any officer or committee it may appoint;

13) Interpret this constitution by majority vote of its total currently serving membership.

Section 5. President of the Senate

a) Election and Term of Office

The Student Government shall elect, from its number, a President and Vice President who shall serve for a term of one year (June 1 – May 31). The President and Vice President must have a minimum GPA of 2.5. The election process for president and vice president shall begin at the second meeting of the Student Government. A two-thirds vote of those Senators present shall be required for election. If difficulties arise in the election of a president, the chair will rotate on an alphabetical basis until a president is elected. Upon resignation, dismissal, or incapacitation of the president, the vice president shall serve as president and a new election shall be held for vice president with the new president and vice president serving until the end of the elected term.

b) Duties and Responsibilities

The President of the Student Government, or the Vice President of the Student Government should the President be unable to fill his/her duties shall:

1) Preside over meetings of the Student Government;

2) Give a timely report of all activities undertaken on behalf of the Student Government;
3) Prepare the agenda for meetings of the Student Government;

4) Implement measures enacted by the Student Government and submit periodic progress reports;

5) Preside over meetings of the student body;

6) Represent the student body at official functions;

7) Represent the student body in the College Council either directly or through a designee.

Section 6. Commissioners

The Student Government shall elect one of its number as commissioner of each of seven standing commissions charged with drafting legislation for consideration by the Student Government and recommending methods of implementing such legislation. No senator shall hold more than one commissioner position on the Student Government except in the case of a sudden vacancy whereby a commissioner could hold a temporary commissioner position on another commission until such time as the vacancy can be permanently filled. Each Commissioner shall appoint additional members, which shall be reported to the Student Government prior to members taking their seat on the commission. The Commissions are as follows: Commission on Finances, Commission on Clubs, Commission on Student Center, Commission on Student Services, Commission on Academic and Curricular Affairs, Commission on Elections, Commission on Part-time, Evening and Weekend Students.

a) Election and Term of Office

Only Senators shall be eligible to serve as Commissioners. The election process for commissioners shall begin at the second meeting of the Student Government. Commissioners will be elected by majority vote of the Senators present and shall serve for a term of one year (June 1 – May 31).

b) Duties and Responsibilities

The Commissioners shall:

1) Submit to the Student Government a written description of the commission’s organization, budget, and operating procedure, for approval, within two weeks of the election of the Commissioner, and schedule and attend a minimum of one commission meeting per month;

2) Report a minimum of once per month to the Student Government on the operation of the commission;

3) Deposit, record, and maintain the commission’s funds in conformity with the accounting procedure of The College of Staten Island Association, Inc.;

4) Report to the Student Government commission membership, which comprise no more than two senators, in addition to the Commissioner, including the appointment of a deputy commissioner who must be a Student Government senator, who will assume the duties of the commissioner should the commissioner be unavailable to fulfill said duties;

5) Submit reports a minimum of once per month on the finances and activities of the commission;

6) The Club Commissioner cannot be an officer of any chartered club; the Election Commissioner cannot serve on the Student Election Review Committee.
Section 7. Meetings of the Student Body

The Student Government may call discretionary meetings of the student body to inform the students of actions taken by the Student Government, to discuss other pertinent matters, and to solicit student opinion. Motions passed at such meetings shall be considered resolutions advising the Student Government, without binding effect.

Section 8. Representatives on Other Bodies

At the annual election student representatives shall be elected to serve on the following bodies:

a) College Council,
b) Faculty-Student Disciplinary Committee,
c) Auxiliary Services Corporation,
d) CSI Association, Inc.

Article V. AMENDMENTS

Section 1. Amendments to Article I through III

A proposal to alter any provision of Articles I through III may be initiated by the President or by a two-thirds vote of the College Council. Such proposals shall then be submitted to a referendum of the Instructional Staff. The proposed amendment is to be deemed adopted if approved by a majority of those voting (provided that at least 30% vote), by the President, and by the Board of Trustees.

Section 2. Amendments to Article IV.

Amendments to Article IV (Constitution of the Student Government) may be proposed by: a) a majority of the Senators present at a meeting of the Student Government, or b) a petition containing the signatures of 10% of the student body. An amendment shall be adopted when approved by majority vote of the student body in referendum, provided that at least 10% of the student body vote, by the President and by the Board of Trustees.

ARTICLE VI. COMMITTEES OF THE COLLEGE ESTABLISHED PURSUANT TO BOARD OF TRUSTEES BYLAWS OR UNIVERSITY POLICY.

1. College Association
2. Faculty-Student Disciplinary Committee
3. Auxiliary Enterprises Board
4. Sexual Harassment Panel
5. Affirmative Action
6. Pluralism and Diversity
7. Americans with Disabilities Act

Memorandum of Economic Agreement for a Successor Agreement between
The City University of New York and
The Professional Staff Congress/CUNY

1. Term of the Agreement: The term of the agreement shall be from August 1, 2000 through October 31, 2002.

2. Continuation of Terms: The terms of the 1996-2000 PSC/CUNY collective bargaining agreement shall be continued except as modified by this MOA.

3. Economic Package: The total value of the economic package is as follows:
   a. four percent (4%) effective August 1, 2000
   b. four percent (4%) effective August 1, 2001, compounded
   c. effective October 31, 2002, funds not to exceed one percent (1%) to purchase recurring benefits, mutually agreed to by the parties, other than to enhance the salary increases set forth in Paragraph 4.a below. The funds available shall be based on the payroll, including spinoffs and pensions, as of the last payroll in January 2000 (January 27, 2000 for the senior colleges and January 21, 2000 for the community colleges).

4. Distribution of Economic Package: Subject to a final costing to ascertain that sufficient funding is available within the economic package provided in Paragraph 3 of this MOA, the parties agree that the economic package will be allocated as follows:
   a. General Wage Increase:
      i. 4% effective August 1, 2000,
      ii. 3% effective August 1, 2001, compounded, to all titles, except that the following titles shall receive increases, effective August 1, 2001, as follows:

<table>
<thead>
<tr>
<th>Title</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant Registrar</td>
<td>05.77%</td>
</tr>
<tr>
<td>Lecturer Series</td>
<td>05.77%</td>
</tr>
<tr>
<td>Graduate Assistant Series</td>
<td>05.77%</td>
</tr>
<tr>
<td>Assistant to HEO</td>
<td>05.77%</td>
</tr>
</tbody>
</table>
Memorandum of Agreement

Page 2

(B) Added to each step of the salary schedules for the following titles, the following amounts:

<table>
<thead>
<tr>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLT</td>
<td>$3,600</td>
</tr>
<tr>
<td>Senior CLT</td>
<td>$3,400</td>
</tr>
<tr>
<td>Chief CLT</td>
<td>$3,200</td>
</tr>
</tbody>
</table>

iii. The final step of the salary schedules for the titles listed below, that receive a 3% increase effective August 1, 2001 pursuant to Paragraph 4.a.ii above, shall be increased by 3.8%, compounded, rather than the 3% provided therein:

- Instructor
- Instructor II
- Assistant Professor
- Associate Professor
- Professor
- Law School Librarian Series
- Associate Registrar
- Registrar
- Senior Registrar
- Research Assistant
- Research Associate
- Assistant Teacher
- Assistant to HEO I
- Assistant to HEO II
- HEO Assistant
- HEO Associate
- HBO
- College Physician

b. **Graduate School Tuition Remission**: Funds shall be available for the 2002-2003 academic year through a one-time cash payment of $1,000,000 (one million dollars) to the Graduate School and University Center, for the purpose of providing partial tuition remission to CUNY graduate students who serve as Graduate Assistants or as adjuncts at CUNY. The University agrees to provide matching funds for the purpose of providing partial tuition remission to such graduate students in a one-time cash payment of $1,000,000 (one million dollars) to the Graduate School and University Center.
Memorandum of Agreement

Page 3

c.  **Adjunct Health Insurance:** The university agrees to work with the PSC in an effort to include adjuncts in the New York City Health Plan. Any additional costs up to a maximum of .25% will be allocated from the funds provided pursuant to Paragraph 3. In the event that the adjuncts cannot be included in New York City Health Plan within the funds described herein, the parties agree that these funds will be applied instead to the PSC-CUNY Welfare Fund Adjunct Account to offset account deficits.

d.  **Continuing Education Teachers:** Effective September 1, 2002, Continuing Education Teachers who are appointed to a position that will continue for a period of more than six (6) months and requires them to teach a minimum of twenty (20) hours per week will be entitled to the following:

   - Fourteen (14) days of sick leave per year or a pro rata portion thereof, which may be accrued up to a maximum of 28 days.

   - A $1,000 (one thousand dollars) addition to base pay, effective on the second anniversary of employment

   - A $1,000 (one thousand dollars) addition to base pay, effective on the fourth anniversary of employment

   - A $1,000 (one thousand dollars) addition to base pay, effective on the sixth anniversary of employment

e.  **Reassigned Time for Scholarly Activities; Untenured Faculty:** Effective October 31, 2002, untenured Assistant Professors, Associate Professors and Professors, except Librarians and Counselors, who are initially appointed on or after September 1, 2002, will be eligible for reassigned time not to exceed a total of 12 contact hours during their first three (3) annual appointments in order to engage themselves in scholarly and/or creative activities related to their academic disciplines. Assignments of such released time will be made by the college pursuant to guidelines designed to encourage scholarship.

f.  **Professional Development in the Higher Education Officer Series and College Laboratory Technician Series Titles:** Funds not to exceed
Memorandum of Agreement
Page 4

$500,000 University-wide will be proportionately allocated to each college to provide opportunities for professional development for employees in Higher Education Officer series and College Laboratory Technician series titles. Guidelines for the approval of such professional development opportunities will be formulated by the parties.

g. Additions to Gross: Monetary amounts provided in the 1996-2000 PSC/CUNY collective bargaining agreement, such as those specified for Research and Fellowship Awards, for travel allowances, and for additional compensation for Distinguished Professors, shall be increased by 4%, effective August 1, 2000 and 4% August 1, 2001, compounded. The total cost of the increase set forth in this section 4.g shall not exceed a cost of 0.11 percent of the last payroll date of January 2000 (January 27, 2000 for the senior colleges and January 21, 2000 for the community colleges), including spinoffs and pensions.

h. Adjunct Professional Hours: Effective September 1, 2002, Adjunct Professors, Adjunct Associate Professors, Adjunct Assistant Professors, Adjunct Instructors and Adjunct Lecturers who are assigned a teaching workload of six (6) or more contact hours at the same college, will be paid at the appropriate teaching adjunct rate of pay for one (1) additional hour per week in order to engage in professional assignments related to their academic responsibilities, such as office hours, professional development, participation in campus activities and training. It is understood that the professional hours for adjuncts provided herein shall not be counted toward the maximum adjunct teaching hours in section 15.2 of this Agreement. This provision does not apply to full-time instructional staff who teach a course as a multiple position.

i. Teaching Workload at College of Staten Island and New York City Technical College:

Effective the Fall 2002 semester, the annual undergraduate teaching contact hour workload at the College of Staten Island for Professors, Associate Professors, and Assistant Professors shall be 21 hours.

Effective the Fall 2002 semester, the annual undergraduate teaching contact hour workload at New York City Technical College for Professors, Associate Professors, and Assistant Professors shall be 26 hours. The parties will stipulate in a side-letter that they are willing to explore further reductions of the contractual workload for faculty at New York City Technical
Memorandum of Agreement
Page 5

College as part of collective bargaining for the immediate successor agreement.

j. The balance of funds provided by Paragraph 3, if any, will be used as mutually agreed by the parties, including the possibility of a one-time cash payment from the economic package to accommodate the phase-in of reassigned time for scholarly activities for those untenured faculty appointed between September 1, 2000 and September 1, 2002.

5. Welfare Fund: Pursuant to the Health Benefits Agreement, effective October 31, 2002, the contribution paid on behalf of each full-time per annum employee to the PSC/CUNY Welfare Fund under Article 26 of the Agreement shall be increased by two hundred dollars ($200) per annum, as indicated below:

<table>
<thead>
<tr>
<th>Increase</th>
<th>New Rate</th>
<th>Effective</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,375</td>
<td></td>
<td>October 31, 2002</td>
</tr>
</tbody>
</table>

Pursuant to the Health Benefits Agreement, effective October 31, 2002, the contribution paid on behalf of each eligible employee separated from service to the PSC/CUNY Welfare Fund under Article 26 of the Agreement shall be increased by two hundred dollars ($200) per annum, as indicated below:

i) Eligible Employees separated from service from July 1, 1970 through August 31, 1982

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<thead>
<tr>
<th>Increase</th>
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<tbody>
<tr>
<td>$1,110.00</td>
<td></td>
<td>October 31, 2002</td>
</tr>
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</table>

ii) Eligible Employees separated from service on or after September 1, 1982

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<tr>
<th>Increase</th>
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6. Savings Clause: In the event that any provision of this Memorandum of Agreement is found to be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions.

7. Non-Economic Terms: The parties agree that the "Agreement Regarding the Non-Economic Elements of the Agreement," appended hereto, shall be incorporated in this Memorandum of
Memorandum of Agreement
Page 6

8. Educational Opportunity Centers: Changes in salary and terms and conditions of employment of employees represented by the Professional Staff Congress/CUNY who are employed in the Educational Opportunity Centers from those existing in the 1996-2000 Agreement will be determined in separate negotiations between the parties.

9. Approval and Ratification: This Memorandum of Agreement is subject to approval by the Board of Trustees of The City University of New York and the membership of the Professional Staff Congress/CUNY and is subject to State and City funding guidelines and the costing analyses of The State of New York and The City of New York.

10. Enforceability: It is agreed by and between the parties that this Memorandum of Agreement, including the Settlement Agreement dated June 25, 2002, shall not become effective and is not enforceable until the appropriate governmental bodies provide adequate funding of the economic package.

For The City University of New York

Matthew Goldstein

6/26/02

Date

For the Professional Staff Congress/CUNY

Ralph Bun

6/25/02

Date
Memorandum of Agreement
Page 5

College as part of collective bargaining for the immediate successor agreement.

j. The balance of funds provided by Paragraph 3, if any, will be used as mutually agreed by the parties, including the possibility of a one-time cash payment from the economic package to accommodate the phase-in of reassigned time for scholarly activities for those untenured faculty appointed between September 1, 2000 and September 1, 2002.

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Memorandum of Agreement
Page 6

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10. Enforceability: It is agreed by and between the parties that this Memorandum of Agreement, including the Settlement Agreement dated June 25, 2002, shall not become effective and is not enforceable until the appropriate governmental bodies provide adequate funding of the economic package.

For the City University of New York
Matthew H. Flaherty
6/26/02
Date

For the Professional Staff Congress/CUNY
Howard Cohn
6/25/02
Date
Agreement Regarding the Non-Economic Elements of the Successor Agreement
between
The City University of New York
and
The Professional Staff Congress/CUNY

1. Distinguished Lecturers

A Distinguished Lecturer title shall be created by the University, as follows:

The title will not be eligible for tenure.

An individual may not serve in the title for more than a total of five years.

The salary range for the title will be from the minimum of the Lecturer schedule to the seven-year step on the Professor schedule.

The position will be primarily a teaching position, but it may include research.

There will be no more than 80 Distinguished Lecturers.

The workload for Distinguished Lecturers will be the same as that of Professors in the college to which they are appointed.

2. Professional Reassignments for Counselors

The second paragraph of Section 25.4 of the 1996-2000 CUNY-PSC Agreement shall be amended as follows:

The parties agree to establish a paid leave not to exceed four weeks during any year commencing September 1 and ending August 31 for the purpose of permitting members of the instructional staff who are appointed or assigned full-time as Counselors or to other student personnel assignments on or after September 1, 1998, except those in the Higher Education Officer series, to be
Memorandum of Agreement (Non-Economic)

reassigned for research, scholarly writing, and other recognized professional activities that enhance their contribution to the City University. The reassignments shall be subject to approval by the personnel and budget committee of their department and appropriate college-wide committees. The parties accept as a goal the establishment of such reassignment leaves equal to [20%] 35% of the members of the instructional staff appointed or assigned full-time as Counselors or to other student personnel assignments on or after September 1, 1998, except those in the Higher Education Officer series, or 50 such leaves, whichever is less.

Note: Brackets indicate deletion; underlining indicates additions.

3. Adjunct Appointments

Paragraph 2 of Section 10.1(a)3 of the 1996-2000 CUNY-PSC Agreement shall be deleted and new paragraph 2 shall be added as follows:

An employee who has served as an adjunct in the same department of the college for not fewer than six (6) consecutive semesters (exclusive of summer sessions) during the three (3) year period immediately preceding the appointment, to whom the college intends to offer another appointment, shall be notified on or about May 15 of appointment for both the following Fall and Spring semester. Such notification of appointment shall be subject to sufficiency of registration and changes in curriculum in each semester, which shall be communicated to the employee as soon as they are known to the appropriate college authorities. Such notification shall also be subject to all other conditions of employment including, but not limited to, the workload provisions of Article 15.2.

4. Higher Education Officers

There will be a labor-management committee on each campus composed of two members designated by the President of the College and two members designated by the PSC to hear concerns from individual employees in the Higher Education Officer series concerning workload. The Committee, as appropriate, may make non-binding recommendations to the President. The Committee also may consider requests from an individual member of the Higher Education Officer series for a reclassification of his/her position. If the Committee deems such a request to have merit, it will refer the matter for consideration to the HEO Screening Committee.
5. Retirees

Each college will provide, upon request by a retiree, a college-retiree identification card, which will provide the retiree with library privileges at the college.

6. Academic Calendar

The provisions of Section 14.1 of the CUNY-FSC Agreement notwithstanding, classes will begin on August 27, 2004 for the 2004-2005 academic year.

7. Department Chairpersons

The President of the college, after consultation with the Department Chairperson, shall designate each department as having a nine-month, a ten-month, or an eleven-month Department Chairperson. Such designation will be made no later than one month before the election of the Department Chairperson. If mutually agreed between the incumbent Department Chairperson and the President, the designation may be made during the three-year period of the Department Chairperson’s tenure. Department Chairpersons will be paid one-ninth (1/9th) of annual salary for every month assigned over their regular academic-calendar year assignment. For purposes of this provision, one hundred and twenty (120) hours constitute a one-month summer assignment. The one hundred and twenty (120) hours need not occur in the same calendar month. The designation of a nine-month, a ten-month, or an eleven-month Department Chairperson shall not affect existing agreed-upon practices concerning coverage of the Department Chairperson’s duties when he/she is unavailable to perform them.

8. Continuation of Certain Health Benefits

Health Care Flexible Spending Account

(a) A flexible health care spending account shall be established pursuant to Section 125 of the IRS code after July 1993. Those employees eligible for New York City health plan coverage as defined on page 40, section 3(B) of the 2001 New York City Summary Program Description shall be eligible to participate in the account. Participating employees shall contribute at least $260 up to a maximum of $5,000 per year. Said contribution and minimum levels may be modified by the MLC Health Advisory Committee based on experience of the plan. Any unfunded balance may be deducted from final salary payments due the employee.

(b) Expenses of the account shall include but not be limited to deductibles, co-insurance, co-payments, excess expenses beyond plan limits, physical exams and health related
Memorandum of Agreement (Non-Economic)

Page 4

transportation costs for vision, dental, medical and prescription drug plans where the employee and dependents are covered. In no case will any of the above expenses include those non-deductible expenses as defined as non-deductible in IRS Publication 502.

(c) An administrative fee of $1.00 per week for the first year shall be charged for participation in the program. An employee's participation in the account is irrevocable during a plan year. At the close of the plan year any excess balance in an employee's account will not be refunded.

9. Pension Benefits Agreement and Health Benefit Agreement

The Pension Benefits Agreement attached hereto as Appendix A and the Health Benefit Agreement attached as Appendix B are deemed to be part of this Memorandum of Agreement.

10. Grievance Procedure

Section 20.4 of the CUNY-PSC Agreement shall be amended as follows:

Step 2. If the grievance has not been settled at Step 1, then within twenty (20) days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of the written decision of the President of the College or the President's designee, or the expiration of the time limits for making such decision, the grievant or the PSC may submit the grievance in writing to the Chancellor or the Chancellor's designee, together with a copy of the decision of the President of the College affected, or the designee. The Chancellor or the Chancellor's designee shall, within twenty (20) days, exclusive of Saturdays, Sundays, or legal holidays, of the receipt of the grievance, meet with the grievant and a representative of the PSC for the purpose of discussing the grievance. In the event the Step 1 decision was not received by the PSC at least fifteen (15) calendar days prior to the scheduled Step 2 meeting, the Chancellor or his/her designee shall, upon request by the PSC, direct the College to present its arguments first at the Step 2 meeting and shall grant the PSC, upon its request, an adjournment of no greater than 15 calendar days for the presentation of the grievance at Step 2. It is understood that nothing herein shifts the burden of proof with respect to the allegations contained in the grievance. The Chancellor or the designee shall, within twenty (20) days, exclusive of Saturdays, Sundays, or legal holidays, after the grievance meeting, mail the disposition with reasons in writing to the PSC and to the grievant or grievants affected by certified mail, return receipt requested.

Note: Underlined material is added.
Memorandum of Agreement (Non-Economic)
Page 5

11. College Laboratory Technicians:

There shall be a University-wide labor management committee composed of two members designated by the Chancellor and two members designated by the PSC to review the promotion procedures applicable to instructional staff in the College Laboratory Technician series. The committee will conclude its work by issuing a non-binding report to the Chancellor and the President of the PSC no later than October 30, 2002.

12. Savings Clause

In the event that any provision of this Memorandum of Agreement is found to be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions of this Memorandum of Agreement.

13. Upon resolution of the economic issues, including the compensation issues, this Agreement Regarding the Non-Economic Elements of the Successor Agreement shall be incorporated in a Memorandum of Agreement between the parties. The Memorandum of Agreement incorporating this Agreement Regarding the Non-Economic Elements of the Successor Agreement is subject to approval by the Board of Trustees of The City University of New York and the membership of the Professional Staff Congress/CUNY and is subject to State and City funding guidelines and the costing analyses of The State of New York and The City of New York.

For The City University of New York

Matthew Perelstein

_6/26/02_

Date

For the Professional Staff Congress/CUNY

_6/26/02_

Date
The City University of New York

Office of the Vice Chancellor for Faculty and Staff Relations

535 East 80 Street, New York, NY 10021
646 / 674-8553

Dr. Barbara Bowen
President
Professional Staff Congress/CUNY
25 West 43rd Street
New York, New York 10006

Dear Dr. Bowen:

I write to confirm that the University and the Professional Staff Congress are willing to explore further reductions of the contractual workload for faculty at New York City Technical College as part of collective bargaining for the immediate successor agreement.

Very truly yours,

Brenda Richardson Malone
Vice Chancellor of Faculty and Staff Relations

Agreed:

Professional Staff Congress

6/25/02
Settlement Agreement

Agreement made this 26th day of June, 2002 between The City University of New York and The Professional Staff Congress/CUNY.

The parties hereby agree as follows:

1. CUNY may pay base salaries in excess of the base salary schedules contained in the CUNY-PSC collective bargaining agreement to members of the PSC bargaining unit for purposes of recruitment and retention, up to 165% of the last step of the applicable base salary schedule (hereinafter referred to as the 7-year step), for the titles Professor, Associate Professor, Assistant Professor, Higher Education Officer, Higher Education Associate and Higher Education Assistant, which excess base salary shall become a part of base salary.

2. The base salary flexibility described in Paragraph 1 above refers to additions to the base salary contained in the schedules. All other applicable provisions of the CUNY-PSC collective bargaining agreement, the multiple position policy, Board Bylaws and other University policies and procedures continue to apply.

3. When a college President intends to make a base salary offer to recruit or retain a bargaining unit member in excess of the base salary schedules contained in the CUNY-PSC collective bargaining agreement, he/she shall convene an ad hoc committee of faculty members, if the offeree is being hired or retained in a faculty title, or an ad hoc committee of individuals in Higher Education Officer series titles, if the offeree is being hired or retained in a Higher Education Officer series title. The ad hoc committee, based on its academic judgment regarding the qualifications and duties of the individual to whom an offer is being contemplated by the President, shall make a non-binding recommendation to the President that the proposed base salary should be within the range of one of the following tiers:

   Tier I: 101%-115% of the 7-year step for the title
   Tier II: 116%-140% of the 7-year step for the title
   Tier III: 141%-165% of the 7-year step for the title

The President will then forward his/her recommendation to the Chancellor. If the Chancellor approves, the recommended salary will be submitted for approval to the Board of Trustees via the Chancellor's or University Report.

4. The PSC hereby withdraws or discontinues with prejudice the following:
• The grievance concerning the recruitment/retention initiative that it filed by letter dated July 2, 2001;

• PERB Charge No. U-22891;

• The grievance filed on behalf of “all bargaining unit members” alleging “improper payment of salary increases beyond those contractually stipulated. Failure to negotiate proposed salary increases with the Professional Staff Congress/CUNY,” filed by letter dated December 28, 2001;

• PERB Charge No. U- (Re: Zicklin School memo); and

• Barbara Bowen as President of PSC-CUNY v. City University of New York, Index No. 104015/2002, New York County Supreme Court.

5. CUNY will advise the colleges that all increases to base salary shall be granted in accordance with the CUNY-PSC collective bargaining agreement and with this letter.

For The City University of New York

Matthew Pellicci

Date 6/26/02

For the Professional Staff Congress/CUNY

Richard Ross

Date 6/28/02