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

There were present:

Benno C. Schmidt, Jr., Chairman

Valerie Lancaster Beal
John S. Bonnici
Wellington Z. Chen
Rita DiMartino

Joseph J. Lhota
Hugo M. Morales
Nilda Soto Ruiz
Jeffrey S. Wiesenfeld

Shamsul Haque, ex officio

Secretary and Vice Chancellor Jay Hershenson
Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant
Towanda Lewis
Anthony Vargas

Chancellor Matthew Goldstein
Executive Vice Chancellor Louise Mirrer
President Dolores Fernandez
President Robert L. Hampton
President Frances Degen Horowitz
President Christoph M. Kimmich
President Eduardo J. Marti
President Gail O. Mellow
President Antonio Perez
President Marlene Springer

President Gregory H. Williams
Dean Kristin Booth Glen
Dean Stanford A. Roman, Jr.
Vice Chancellor Otis O. Hill
Vice Chancellor Russell K. Hotzler
Vice Chancellor Emma E. Macari
Vice Chancellor Ernesto Malave
Vice Chancellor Brenda Richardson Malone
RF President Richard F. Rothbard

The absence of Trustees John J. Calandra, Kenneth E. Cook, Randy M. Mastro, Kathleen M. Pesile, Carol A. Robles-Roman, and Marc Shaw was excused.
Chairman Schmidt called the public meeting to order and announced that a brief Executive Session would take place to discuss two personnel matters, and the public meeting would be reconvened immediately following the Executive Session.

Upon motions duly made, seconded and carried, the Public meeting was adjourned at 4:34 P.M. to go into Executive Session.

SECRETARY AND VICE CHANCELLOR JAY HERSHENSON
MINUTES OF THE EXECUTIVE SESSION OF THE BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK
HELD
SEPTEMBER 29, 2003

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

The Executive Session was called to order at 4:35 P.M.

There were present:

Benno C. Schmidt, Jr., Chairman

Valerie Lancaster Beal
John S. Bonnici
John J. Calandra
Wellington Z. Chen
Kenneth E. Cook
Rita DiMartino
Joseph J. Lhota
Shamsul Haque, ex officio

Randy M. Mastro
Hugo M. Morales
Kathleen M. Pesile
Nilda Soto Ruiz
Marc V. Shaw
Jeffrey S. Wiesenfeld

Susan O’Malley, ex officio

Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant

Chancellor Matthew Goldstein

The absence of Trustee Carol A. Robles-Roman was excused.

The Board went into Executive Session to discuss personnel matters.

Upon motion duly made, seconded and carried, the Executive Session was adjourned at 5:12 P.M. to go into Public Session.

SECRETARY AND VICE CHANCELLOR JAY HERSHENSON
MINUTES OF THE MEETING OF THE BOARD OF
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK
HELD
SEPTEMBER 29, 2003
AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80TH STREET – BOROUGH OF MANHATTAN

The Public Session reconvened at 5:14 P.M.

There were present:

Benno C. Schmidt, Jr., Chairman

Valerie Lancaster Beal
John S. Bonnici
John J. Calandra
Wellington Z. Chen
Kenneth E. Cook
Rita DiMartino
Joseph J. Lhota

Randy M. Mastro
Hugo M. Morales
Kathleen M. Pesile
Nilda Soto Ruiz
Marc V. Shaw
Jeffrey S. Wiesenfeld

Shamsul Haque, ex officio

Secretary and Vice Chancellor Jay Hershenson
Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant
Towanda Lewis
Anthony Vargas

Chancellor Matthew Goldstein
Executive Vice Chancellor Louise Mirrer
Senior Vice Chancellor Allan H. Dobrin
President Fred W. Beaufait
President Dolores Fernandez
President Richard Fernandez
President Robert L. Hampton
President Frances Degen Horowitz
President Christoph M. Kimmich
President Gerald W. Lynch
President Eduardo J. Marti
President Byron N. McClenny
President Gail O. Mellow
President James L. Muyskens

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 Otis O. Hill
Vice Chancellor Russell K. Hotzler
Vice Chancellor Emma E. Macari
Vice Chancellor Ernesto Malave
Vice Chancellor Brenda Richardson Malone
RF President Richard F. Rothbard

The absence of Trustee Carol A. Robles-Roman was excused.
A. VIDEO TAPING OF BOARD MEETING: Chairman Schmidt stated 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 service that provides the public an opportunity to observe the work of the Board and the University.

The calendar items were considered in the following order:

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 8 through 11)

NO. 10. THE CENTRAL OFFICE – DESIGNATION OF SECRETARY OF THE BOARD AND VICE CHANCELLOR FOR UNIVERSITY RELATIONS:

RESOLVED, That the Board of Trustees of The City University of New York approve the appointment of Jay Hershenson as Secretary of the Board and Vice Chancellor for University Relations effective July 25, 2003.

EXPLANATION: Jay Hershenson is jointly recommended by the Chairman and the Chancellor for appointment as Secretary of the Board of Trustees. He has been Vice Chancellor for University Relations since 1984, and before that served in senior level administrative positions at CUNY and not-for-profit organizations. Over the years he has effectively worked with several Board chairpersons and numerous Trustees in keeping them informed and involved in the governance of CUNY, and with local, state, and federal governments, and the diverse communities of New York.

Chairman Schmidt stated that he is recommending Jay Hershenson for this appointment by reason of his long experience at CUNY, his superb work with members of the Board over many years on all aspects of the University’s policies and public affairs, and political interactions with leadership in Albany and New York and Washington for that matter. He has done enormously effective work over the years. And this change in the structure of the Board’s support within the University is the way that most other universities with which I am familiar have organized themselves to provide their boards with the fullest support and communication and to assure a very tight coordination between the work of the board and the work of the academic leadership of the university. This is also the way SUNY is organized. This new structure will, incidentally, result in very substantial savings in terms of expenditures here at 80th Street, which can then be redeployed to support directly the academic mission of the University. So, it is with a great deal of enthusiasm that I offer this resolution.

NO. 11. KINGSBOROUGH COMMUNITY COLLEGE – DESIGNATION OF INTERIM PRESIDENT:

RESOLVED, That Fred B. Malamet be designated Interim President of Kingsborough Community College, effective December 13, 2003, at a compensation to be recommended by the Chancellor to the Board, subject to financial ability.

EXPLANATION: President Byron N. McClennen has resigned effective December 12, 2003. Dr. Malamet has served in senior administrative and academic positions at Kingsborough Community College for over 30 years, including Dean of Academic Affairs, Interim Vice President and Dean of Faculty. He holds a Bachelor of Arts in Psychology from Brooklyn College, a Master of Arts in Student Personnel Administration in Higher Education from Teachers College, Columbia University, and a Doctor of Education in Higher and Adult Education from Rutgers University. He is currently a Professor in the Department of Behavioral Sciences and Human Services at Kingsborough and is superbly qualified to lead the College during the transition period.

Chancellor Goldstein stated that I am delighted to make this recommendation to the Board. Dr. Malamet has served in very distinguished capacities over a span of thirty years at Kingsborough Community College. I know that he will bring wisdom, experience, maturity and a sense of balance in all decisions that he will make. We hope to commence the search for president of Kingsborough Community College very quickly and anticipate that we will have a permanent president in place at the start of the academic year in September of 2004.
Trustee O'Malley stated that as a faculty member from Kingsborough Community College, I strongly support this appointment.

Dr. Fred Malamet thanked Chancellor Goldstein, and members of the Board of Trustees for the confidence you have shown in me as a future leader of Kingsborough Community College, a college I have been with for the last thirty-four years, a college that I find to be a wonderful, exciting place to work in, and a college which I will be very proud to serve. Thank you.

Chairman Schmidt stated that on behalf of the Board I would like to welcome and congratulate Trustee Rita DiMartino, who was appointed by Mayor Michael Bloomberg, and unanimously and enthusiastically confirmed by the New York State Legislature, she joined us effective July 1, but this is her first public meeting.

Trustee DiMartino stated that she was pleased to have been appointed by Mayor Michael Bloomberg with the approval of the State Senate to serve on the Board of Trustees of CUNY. I received an excellent education at Richmond College, which preceded The College of Staten Island. My education at CUNY provided the foundation for my career in the corporate and public sectors and in related civic and community service activities. When I was in Albany during the Senate confirmation process, I heard tremendous praise and support for the work of the Chancellor and the Board in advancing the mission of CUNY. I very much look forward to visiting the colleges (this will take a while) and talking with fellow trustees, presidents and faculty and students, and I am delighted to have the opportunity to visit The College of Staten Island tomorrow afternoon. Thank you.

Trustee Morales stated that he has known Trustee Rita DiMartino for many, many years. She has always distinguished herself with her experience and outstanding leadership, and I know that her work here in CUNY will also be very successful. Also, let me say that during the past year, my first year in CUNY, I had the opportunity to participate in many CUNY-related activities, many accompanied with distinguished friends and by Vice Chancellor Jay Hershenson.

During the past year, I also had the opportunity to have several talks with Governor Pataki. I talked to him about CUNY, I told him that we were working very hard here under the leadership of Chancellor Goldstein and Chairman Schmidt, that we are making sure that our student population will continue to have the opportunity to enhance their education, because, after all, they will be the leaders of tomorrow. The Governor’s response was that he was very satisfied with the work of the Board, and very satisfied with enrollment.

This summer, CUNY was a shining success in the Dominican Republic. We went down there with the Hostos Community College Interchange Program, and we met the president and vice president of the Republic, and members of Congress. I would like to thank Dr. Louise Mirrer and also President Dolores Fernandez for their participation. I also want to commend Ramona Hernandez from City College and Anna Garcia Reyes for their work day and night to see that the trip was a success.

I also want to mention that during this summer’s Dominican Parade Vice Chancellor Jay Hershenson organized a float with 500 people. And last but not least the Dominican community really appreciated the presence of the Chancellor at the dinner dance before the Dominican Parade. In conclusion, it was a wonderful year and I enjoyed myself.

Chairman Schmidt stated that he was very pleased to welcome President Robert L. Hampton to this table. He joined The City University of New York as President of York College, effective July 21, 2003. You have all met Dr. Hampton, but it is a pleasure, President Hampton, to have you with us.

And, finally, in terms of welcomes at least, I want to welcome the new Vice Chancellor for Academic Program Planning, our old friend, Dr. Russ Hotzler and thank him for this latest chapter in his splendid work for the University most recently, of course, as Interim President of York College from July 2002 to July 2003. Thank you, very much, Dr. Hotzler, once again.
I am pleased to announce the formation of the Search Committee for a new president of John Jay College of Criminal Justice. I would like to thank most deeply Trustee Randy Mastro for agreeing to serve as the Chairman of this important committee. The other Trustee members of this committee are Valerie Lancaster Beal, John J. Calandra, Rita DiMartino and Joe Lhota. The college president on the committee is President Gregory Williams and we are currently working with the appropriate governance bodies at John Jay College to provide for faculty, student and alumni representation on the committee, consistent with the Board’s guidelines. The Committee is already hard at work, has had several meetings, and has been working on the campus and we look forward with great eagerness to the fruits of their deliberations.

As the Chancellor mentioned, our colleague President Byron McClenneny of Kingsborough Community College has announced that he will resign effective December 12, 2003. I know that you will join me in extending to him our personal appreciation for his exemplary work. We have formed a Presidential Search Committee for the Kingsborough Community College. I want to thank Trustee Wellington Chen for agreeing to serve as the Chair of this committee; the other Trustee members of the committee are Ken Cook, Rita DiMartino, Kathleen Pesile and Jeffrey Wiesenfeld. The college president on the committee will be President Edison O. Jackson. We are working with the appropriate governance bodies at Kingsborough, to provide for faculty, student and alumni representation on the committee.

I would like to take this opportunity to thank President Jennifer Raab of Hunter College and the Silberman Fund for graciously providing us with our future meeting space for the Trustees, at our next meeting in October, and our committee meetings henceforth will be taking place at Hunter College School of Social Work and we have been made to feel very welcome there. Thank you.

At the request of Trustee Shamsul Haque, the Chancellor and I both would like to invite the Trustees to meet and talk with the newly elected student leaders of CUNY on Tuesday, October 28, 2003 from 6 P.M. to 8 P.M. at the Hunter College School of Social Work. I hope you will save the date to meet with our student leaders and we will be in touch with additional details. Thank you, Trustee Haque for arranging this important opportunity, we appreciate it very much.

Finally, before we move to our formal business, I want to express our deepest sympathy and condolences to the family of Hunter College student Matthew Hall, on his tragic and untimely death.

NO. 8. MEMORIAL RESOLUTION - HON. SYLVIA BLOOM:

WHEREAS, The Honorable Sylvia Bloom served The City University of New York with exemplary dedication from July 2, 1981 to June 30, 1994; and

WHEREAS, During her thirteen years as a Trustee, she devoted herself without restraint to the service of the University, and her contributions to the enhancement of the colleges were invaluable; and

WHEREAS, Sylvia Bloom served as chair of the Committee on Public Affairs, vice chair of the Committee on Faculty, Staff, and Administration, and vice chair of the City University Construction Fund, and as chair or member of many special and ad hoc committees such as the Task Force on the Status and Future of Facilities, and as chair or member of many presidential search committees during her tenure; and

WHEREAS, She was especially supportive of the improvement of the University’s facilities to better advance the educational achievements of the student body; now therefore be it

RESOLVED, That the Board of Trustees, on behalf of the entire community of The City University of New York, acknowledges with deepest appreciation the many contributions of Sylvia Bloom, and extends its deepest sympathy to her beloved family.
NO. 9. RESOLUTION OF APPRECIATION – SECRETARY GENEVIEVE MULLIN:

WHEREAS, Genevieve Mullin served as Secretary of the Board of Trustees of The City University of New York with unstinting dedication and purpose from September 1, 1991 to July 25, 2003; and

WHEREAS, She faithfully served in various administrative capacities at the Central Office, beginning in 1971; and

WHEREAS, She coordinated numerous support services to assist the Board of Trustees in the conduct of its duties, including arrangements for Standing and Ad hoc committees, Public hearings, Board meetings, Task forces, Trustee participation in commencements and other college functions to name but a few of the many forms of assistance she provided; and

WHEREAS, Her institutional memory provided an important source of information to both members and friends of the University community; now therefore be it

RESOLVED, That the Board of Trustees expresses its deep and heartfelt appreciation to Genevieve Mullin for her exemplary service to the Board and the University, and wishes her continued health and enjoyment in her future endeavors.

B. HONORS: This has been a special month for our colleague Kathleen Pesile. First she was invested as a member of the Equestrian Order of the Holy Sepulcher of Jerusalem at the Cathedral of St. Patrick on September 13th, and secondly, she was recently honored by the Coalition of Italo American Associations at its 20th Annual Gala Dinner at the Waldorf-Astoria on September 26th. Congratulations to you, Trustee Pesile.

I would also like to congratulate our colleagues, Trustee Wellington Chen and President Dolores Fernandez, who have been appointed by Governor Pataki to serve as members of his newly formed New York State Commission on School Reform. Good luck.

Chancellor Goldstein will be honored on October 29, 2003, at the Annual Gala for the American Friends of the Open University in Israel being held at the Waldorf-Astoria. The Open University is Israel's largest accredited university with over 120 study centers around the country and enrollment of over 40,000 students. Our colleague, Trustee Jeffrey Wiesenfeld, is serving as the Chairman of the Dinner Committee. Congratulations, Mr. Chancellor, to you on this honor.

C. PRESIDENT’S AND FACULTY HONORS: Chairman Schmidt called on Trustee Valerie Lancaster Beal, who announced the following:

President Dolores Fernandez will be a very busy individual because in addition to her previously discussed honors, she has also been appointed by the American Council on Education (ACE) to serve on its Commission on Women in Higher Education for a three year term ending in June of 2006. Congratulations once again to President Dolores Fernandez.

President Jennifer Raab has been invited to join the Board of Directors of Humanity in Action, which provides its student fellows with opportunities for internships in Congress and various international foundations and governmental organizations. Congratulations to President Raab.

President Antonio Perez of Borough of Manhattan Community College will be presented with the chair’s award for contributions to global education by the City College of Birmingham, England on October 2nd. Congratulations to President Perez.

Dean Alfred Posamentier of the School of Education at City College and Robert Gyles of the Department of Curriculum & Teaching at Hunter College have been appointed by the New York State Education Department to serve on a panel charged to explore the problems related to the June 2003 Regents math test and to propose recommendations. Good luck and congratulations to them.
President Prof. K. Eckhard Kuhn-Osius of the Department of German at Hunter College has been awarded the Annual Certificate of Merit for 2003 by the American Association of Teachers of German, AATG, at the Goethe Institute of New York. Congratulations Prof. Eckhard.

Alumnus and Hospitality Management Association Professor at New York City College of Technology, Frank C. Costantino was named to the 2004, New York Culinary Team which will compete in Erfurt, Germany in Fall 2004.

D. STUDENT HONORS: Chairman Schmidt called on Trustee Kenneth E. Cook, who announced the following:

Carol A. Eady and Bettina Muenster, both of whom are students at John Jay College of Criminal Justice and Michelle Ann Tempro, a student at Brooklyn College were recipients of the 2003 Women's Forum Educational Award on September 18th. The Education Fund provides annual awards to encourage mature women in need to fulfill their potential through the pursuit of an undergraduate college education and to enhance their capacities to provide productive and supportive service to their communities.

E. GRANTS: Chairman Schmidt presented for inclusion in the record the following list of Grants of $100,000 or above received by the University subsequent to the June 23, 2003 Board meeting. I know the Board is grateful for all the hard work that went into the receipt of those grants.

THE CENTRAL OFFICE

A. $500,000 STARR FOUNDATION for “The Honors College Program.”
B. $250,000 ROGER AND SUSAN HERTOG CHARITABLE FUND for “The Honors College Scholars Program.”
C. $100,000 PAINE WEBBER FOUNDATION for “The Honors Scholarship Program.”
D. $100,000 THE PETER JAY SHARP FOUNDATION for “Strengthen CUNY’s Academic Environment.”

BOROUGH OF MANHATTAN COMMUNITY COLLEGE

B. $229,201 U. S. DEPARTMENT OF EDUCATION to Rumayor, S., for “Upward Bound Program.”

BRONX COMMUNITY COLLEGE

A. $1,439,018 STATE OF NEW YORK DEPARTMENT OF HEALTH to Savage, C., and Seliger, M., Institutional Development, for “New York State Workforce Retraining Initiative.”
B. $1,125,818 NEW YORK STATE EDUCATION DEPARTMENT to Savage, C., Institutional Development, for “Perkins III Vocational and Applied Technology Education Act Program.”
C. $549,361 UNITED STATES DEPARTMENT OF EDUCATION to Rose, A., Pass Center, for “Student Support Services.”
D. $500,000 UNITED STATES DEPARTMENT OF EDUCATION to Levine, C., Institutional Development, for “GEAR UP.”
E. $481,000 UNITED STATES DEPARTMENT OF ENERGY to Seliger, M., Institutional Development, for “Research, Development, and Planning for a Center for Sustainable Energy at Bronx Community College.”
F. $298,792 NEW YORK STATE EDUCATION DEPARTMENT to Napper, J., Institutional Development, for “English Language/Civics Education-Year II.”
G. $250,000 POSTGRADUATE CENTER FOR MENTAL HEALTH to Norwood, C., Institutional Development, for “HOPWA-(Housing for Persons with AIDS Program).”

H. $222,678 NATIONAL SCIENCE FOUNDATION to Meleties, P. and Brennan, T., Chemistry Department, for “Bronx Community College Pharmaceutical Manufacturing Technology Program.”

I. $200,000 NEW YORK CITY/MEDICAL & HEALTH RESEARCH ASSOCIATION to Norwood, C., Institutional Development, for “HIV Prevention – Women and Men Against AIDS.”

J. $200,000 NEW YORK STATE EDUCATION DEPARTMENT to Keizs, J., Academic Affairs, for “TECH PREP (Perkins III Technical Educational Preparation).”

K. $200,000 THE FORD FOUNDATION to Schaier-Peleg, B., National Center for Educational Alliances, for “New Linkages.”

L. $148,560 NEW YORK STATE EDUCATION DEPARTMENT to Hogg, L., Academic Affairs, for “Liberty Partnership Program.”

M. $109,548 NEW YORK STATE EDUCATION DEPARTMENT to Joyner, W., Institutional Development, for “Bronx Educational Opportunity Center.”

N. $106,000 NEW YORK STATE EDUCATION DEPARTMENT to Abdellatif, N., Physics & Technology, for “(STEP) Science and Technology Entry Program.”

O. $104,553 NATIONAL DEVELOPMENT AND RESEARCH INSTITUTES, INC. to Norwood, C., Institutional Development, for “Peer Mentoring for Early Adolescents in HIV-Affective Families.”

THE CITY COLLEGE

A. $1,427,224 NYC DEPT OF ED to Posamentier, A., Administration, for “NYC Teaching Fellow Cohort 1 and 2.”

B. $1,357,451 INFOTONICS TECH. CTR to Alfano, R., IUSL, for “Compact Photonic Explored Consortium.”

C. $1,099,608 NASA to Alfano, R., IUSL, for “University Research Center for Optical Sensing and Imaging of the Earth and Environment (COSI).”

D. $1,000,000 NYS SCI & TECH FDT to Mirrer, L., and Alfano, R., IUSL, for “Center for Advanced Technology (CAT).”


F. $410,512 NIH to Wallman, J., Biology, for “Role of Vision in Etiology Axial Myopia.”

G. $400,000 ARO to Liaw, B., Mechanical Engineering, for “Hybrid-Carbon-Glass Fiber/Toughened Epoxy Thick Composit Joints Subject to Drop-Weight and Ballistic Impacts at Various Temperatures.”

H. $360,565 ARO to Gilchrist, L., Chemical Engineering, for “Biologically-Based Self-Assembled Monolayers: Multifunctional Nanostructured Surfaces from…”

I. $352,886 NIH to Weiner, M., Chemistry, for “MARC Honors Undergraduate Research Training Program.”

J. $343,700 NIH to Weinbaum, S., Engbio, for “Cytoskeltal Strain Amplification due to Bone Fluid Flow.”

K. $326,482 WHITAKER FDT to Weinbaum, S., Mechanical Engineering, for “Creation of a New Department and Undergraduate Degree Program.”

L. $270,000 NSF to Fosnot, C. and Zolkower, B., Education, for “Mathematics in the City: Professional Development Materials for Teaching, Learning and Mathematizing.”
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**THE GRADUATE SCHOOL AND UNIVERSITY CENTER**

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<td>$400,000</td>
<td>NATIONAL SCIENCE FOUNDATION</td>
<td>St. John, K. and Keen, L.</td>
<td>“Computer Science Mathematics Mentorship and Scholarship Program.”</td>
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<td>G.</td>
<td>$344,270</td>
<td>NEW YORK CITY DEPARTMENT OF EDUCATION</td>
<td>Wolfe, M.</td>
<td>“Literacy Instruction and Professional Development.”</td>
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<td>H.</td>
<td>$285,154</td>
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<td>Wolfe, M.</td>
<td>“Teacher Leaders for Mathematics Success.”</td>
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<td>I.</td>
<td>$256,680</td>
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<td>L.</td>
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<td>“Instruction and Professional Development in Mathematics.”</td>
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<td>M.</td>
<td>$181,003</td>
<td>NATIONAL INSTITUTES OF HEALTH</td>
<td>Rachlin, J.</td>
<td>“Marc Undergraduate Program at Lehman College.”</td>
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<td>QUEENS COLLEGE</td>
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<td>B.</td>
<td>$348,244</td>
<td>NEW YORK CITY BOARD OF EDUCATION</td>
<td>Truesdell, L. A., The Division of Education</td>
<td>“Teaching Fellows Program.”</td>
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<td>C.</td>
<td>$308,000</td>
<td>NIH/NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES</td>
<td>Michels, C., The Biology Department, for</td>
<td>“Maltose Sensing/ Signaling Mechanisms in Saccharomyces.”</td>
</tr>
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<td>D.</td>
<td>$190,916</td>
<td>NATIONAL SCIENCE FOUNDATION</td>
<td>Klein, E. and Martohardjono, G., The Linguistics and Communications Disorders Department, for</td>
<td>“Using Temporal Markers in Standard American English: Second Language Learners, Bilingual and Bidialectal Sperakers.”</td>
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E. $104,100  NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES to Pearsall, B., The Dean of Students Office, for “The Child Development Center at Queens College.”

QUEENSBOROUGH COMMUNITY COLLEGE

A. $697,400  NEW YORK STATE EDUCATION DEPARTMENT to Katz, M. and Kahn, R., for “Carl D. Perkins Vocational and Technical Education Act – Formula Funding.”

B. $239,861  NEW YORK STATE EDUCATION DEPARTMENT to Bygrave-Dozier, S. and Simmons, S., for “Liberty Partnerships Program – Project PRIZE.”

C. $200,000  NEW YORK STATE EDUCATION DEPARTMENT to Allen, K. and Meyer, M. A., for “Tech-Prep.”

THE COLLEGE OF STATEN ISLAND

A. $261,250  NIH to Davis, R., for “In Vivo Analysis of SL Addition in Ascaris Embryos.”

B. $136,146  NIH to Balaban, E., for “Prenatal Studies of Species Auditory Differences.”

C. $126,750  NIH to Wieraszko, A., for “The Influence of Static Magnetic Fields on Brain Tissue.”

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

Let me join Chairman Schmidt in welcoming Trustee DiMartino to the Board - it is wonderful to have you with us. President Bob Hampton, I know he is going to do a wonderful job at York College, and Russ Hotzler in his new role as Vice Chancellor, it is wonderful to have him back here at the central administration.

As Chairman Schmidt has said, we will have an opportunity to thank President Byron McClenny for his exemplary service at Kingsborough Community College. We were very privileged in recruiting him. He certainly is a star among community college presidents nationally and he has done wonderful work at Kingsborough. Also, congratulations to Trustee Pesile in her receiving the Leadership in Education Award at the Coalition of Italo American Associations. It is wonderful to share that award with you and others here on the Board and the prestigious honor bestowed by the Archdiocese of New York.

I also would like to join Chairman Schmidt in a much more somber note expressing our sincere condolences to the family of Hunter College student Matthew Hall in his tragic passing.

Mr. Chairman, we have very good news, as all of you have seen in the press, regarding Fall enrollment at The City University of New York. Our latest data indicate that over 216,000 degree-seeking students enrolled. This is the highest number since 1975. And when people ask me why this is happening, and why this is happening in polarity to what is happening elsewhere in public higher education in the United States, I answer fairly quickly with two reasons. First, the reputation, because of the very good work that we have seen over the past several years at this University with our faculty, with our presidents, with the Trustees, with members of the Chancellery, with so many constituencies here in the University staying the course in ways that building the reputation of the University, I think because higher education is an efficient market, people are choosing to come, in part, because the reputation has so greatly improved, and I really believe that that value that is in the marketplace really is very much a reason why New Yorkers are deciding to study here at this great University. While none of us like to have to vote on a higher tuition for our students, it is the last thing that this Board wants to do, but relative to other private universities, certainly price along with reputation, I think is having the kind of effect that we are seeing here at the University.

I would like to report just very briefly on the status of the senior college budgets. You know that we believe that the current state budget is unbalanced. There is, however, a projected $6 billion deficit for fiscal 2005. And in anticipation of that deficit, we do expect to have some alterations in the current operating budget for the senior colleges. We have not had any specific communication at all from the Division of the Budget on magnitude or timing, but we believe that there is high likelihood that we may have to address this. We did, however, take prudent steps
early on in the development of our budget when we encumbered 2% of our operating budget to serve as a reserve against such a contingency. We also are the beneficiaries of much additional revenue, largely driven by the substantial increase in enrollment. First time freshmen, continuing students, transfer students, graduate students, across the board we have seen impressive increases in our colleges and that will have an effect on offsetting some of the problems that may occur during the fiscal year.

Even with all of this new revenue that had to be self-generated by the University, we still at the senior colleges have been able to provide a net over last year of $5 million in additional support for full-time faculty. We have bifurcated that $5 million to allow for conditions of base level equity to try to address the historic imbalances that we have seen in some of our colleges, that when they were first chartered, they were not chartered with the kind of financial base that we would like to see.

The second thing that we are doing this year, is that we are in the first year of a multi-year plan for tuition remission for our Ph.D. students engaged in research or for those that are involved in teaching courses. When Ph.D. programs were conceived at this University, there was a very vital component that was missing that we see at most universities and that is tuition remission for a large class of full-time graduate students. I would like to thank the good work of President Frances Horowitz, Executive Vice Chancellor Louise Mirrer and Vice Chancellor Ernesto Malave who worked together in putting together a plan that I think will have important positive effects on the University.

We are pleased that the Peter Vallone Scholarship Program was fully restored, $5.5 million, and a new safety net program was created for community college students of about $4.5 million. These are for students who may have exhausted their TAP eligibility and who may not be eligible for assistance and we are delighted that we can provide both those resources and others to help mitigate against some of the problems caused by the tuition increases at both the community colleges and the senior colleges. We would like to publicly thank the Mayor and the City Council for their support in the City budget overall both on the operating side and on the capital side.

We would like to acknowledge the work of Governor Pataki and for the State Legislature for signing and passing the CUNY Transportation Benefits Bill to provide University employees with access to mass transit discounts.

The Governor also signed legislation to require colleges and universities to inform students about the Hate Crimes Law. The Governor further signed legislation to require manufacturers and publishers of instructional materials to provide this information in electronic format to disabled students at all colleges in New York State. I would remind the Board that we have over 7,000 students studying among our colleges that are classified as disabled. The Governor extended legislation from last year that allows CUNY to refuse to do business with companies who manufacture sports apparel and are violating sweatshop laws, even if they are the lowest bidder. The legislation expands provisions to include sports equipment.

We expect the Assembly to return on October 8th to clean up bills that are still in need of formulating and closing. We are working with the State Legislature and the Governor’s Office on a capital budget. I remind the Board that we still do not have a capital budget for this year and there are two public reasons that have been cited for this. First, the problems in getting a lined out budget for SUNY and the State Legislature was not prepared to approve a recommendation unless they saw the budget lined out. A further complicating factor is that the Commission on Independent Colleges and Universities has floated a request to the State Legislature to provide about $250 million over five years to support the capital needs of the independent sector in the State of New York. I have spoken very strongly against this because I believe that at the end, if this were to be approved, this would come out of the resources that both CUNY and SUNY would have for their capital needs and this still has not been resolved, but we are hoping it will resolve in our favor.

I am delighted to have participated with Chancellor Joel Klein, Bill Gates, the Chairman and CEO of Microsoft, along with Carolyn Kennedy in a very wonderful ceremony last week where the Gates Foundation announced $51 million for a cluster of new high schools in the City of New York. We expect the Gates Foundation to announce another $7 million for ten additional high schools that will be managed by CUNY. And I think this is, again, an affirmation of the good work that goes on here. This particular proposal was largely driven by University Dean John Mogulescu with
the very able support of John Garvey of his office, all under the guidance and support of Executive Vice Chancellor Louise Mirrer.

We had a wonderful ribbon cutting ceremony for one of these new high schools, the new High School for Science at Hunter College. This was a fabulous ceremony officiated by President Jennifer Raab and we look forward to the next one at Brooklyn College and another one at Lehman College and a fourth one, I understand from Marlene Springer, at The College of Staten Island. So, the University continues to be very much involved in the life, not only of collegiate education, but in working with the schools for the betterment of young people in the city.

We had a wonderful faculty orientation organized by Executive Vice Chancellor Louise Mirrer that included a visit to the Metropolitan Opera. There were 280 new faculty hired at our senior colleges and 81 faculty hired at the community colleges.

Our student technology fee has had a wonderful effect here at this University. Overall about 27% of the funds are being used to replace and enhance microcomputers and laptops used by students in the colleges’ labs, libraries and public access facilities. Another 25% is used to fund staff, largely student interns and hourly support personnel and to assist students in the use of the technology and extend the hours of service to students at our libraries and computing laboratories. About 5% of the funds have been dedicated to enhance library base resources, such as online full text journals and other electronic reference holdings. The remaining dollars are distributed across faculty development efforts, training activities, software acquisition, provision of wireless network and Internet access and specialized departmental based technology needs. In all cases, the colleges report student participation on local committees charged with making the recommendations that lead to the final spending plan.

Trustee Shamsul Haque, at the retreat that he organized with the University Student Senate, opined that he thought more student involvement needed to be made. We talked with some of the presidents at a recent meeting of the Council of Presidents and I am confident that that will move us in the right direction. At the end of the day, we are spending about $25 million a year and really transforming the experiences that all of our students here at this University have with respect to integrating technology, not only in the pedagogy that they see in classrooms, but enhancing their ability to get jobs, good jobs, when they leave here, because they will be exposed to the most modern tools that are available and I think it is the right thing to do and it is certainly having an important effect.

I want to remind the Board that we conduct yearly reviews of our presidents and the presidents conduct yearly reviews of the people in their executive ranks. This is part of the Executive Compensation Plan. I am pleased to inform you that here at the Central Administration this year we have saved over a million dollars in recurring savings, productivity savings consistent with what we hear Mayor Bloomberg talking about on a daily basis and those particular savings can be deployed for making adjustments in salaries that we look at each year at this University, consistent with the performance management reviews. We will be making recommendations next month, given that no increases at all were considered last year because we just thought it was not a prudent thing to do.

Mr. Chairman, I would conclude with just three points, and I would like to call on Executive Vice Chancellor Mirrer first, and then Senior Vice Chancellor Dobrin and lastly our new Secretary, Vice Chancellor Jay Hershenson.

Let me introduce the first one. As part of the flagship environment we are creating a community college investment program that is without precedent in the recent history of this great University. We are going to deploy about $25 million starting now to hire 300 new faculty, about 90 new academic support positions, 60 new student service positions and dollars for institutional equipment and library tools and periodicals for our community colleges. It is largely driven and designed by Executive Vice Chancellor Louise Mirrer working very closely with our presidents who are working with students and faculty at those institutions.

Executive Vice Chancellor Mirrer stated that I think all I would like to do is underscore that this is truly an academic program with an exclusively academic purpose, which is largely around bringing the best qualified faculty to our community colleges and providing them appropriate opportunities to be successful in both their pedagogy and in their research by providing the kinds of accouterments that are necessary to that.
You may have noticed the advertisements that have gone into The New York Times and other venues. We are casting our net as widely as possible, really to insure that the faculty who join our ranks are the best faculty possible and we very much look forward to seeing the fruits of those efforts.

Senior Vice Chancellor Dobrin stated that as many of you know, we have been rehabilitating this building over the past four years. We have done asbestos abatement, repaired the deteriorating façade, installed energy efficient windows and replaced much of the mechanical infrastructure, obsolete elevators, HVAC and electrical system.

The roof has been replaced and several floors have been modernized. The building has also been made ADA accessible. Currently we are replacing the building's 65-year-old boiler. Many of you who have tried to park today may have noticed a large green thing looking like an ICBM parked outside, that's our new boiler.

Our next project is to complete the renovation of the first floor, including the Development office and the Faculty Senate offices. As part of this effort, we will also be redoing the Boardroom. All of these spaces need asbestos abatement, plumbing renovations, upgrading to the HVAC systems, roof repair to eliminate the leaks that we have seen at many of our Board meetings, and remediation of egress issues to be in compliance of the City's building codes.

As we undertake these needed health and safety remediations, we will take the opportunity to enhance the room’s communication capabilities, to increase the room’s seating capability, and to make the Board’s deliberations more accessible to the public. In addition, the public rest rooms on the first floor will be made ADA compliant and also be made a little nicer for those of you who have had the privilege of using them. We expect it to work, it will take approximately ten months and then we will be back here for the Trustees meetings in September 2004.

As you know, all Trustee meetings, including committee meetings, will be held at the Hunter School of Social Work at 129 East 79th Street, Room 1010 for the remainder of the academic year. We look forward to being back here in September, with a room that is not only safer, but is also better able to communicate to the public the important work that the Trustees conduct each month.

In addition, while I have your attention, I will be working also with Jay Hershenson, the Board’s new Secretary, to computerize the University and Chancellor's Report that is this horribly large document that you see in front of you. This project will save funds through eliminating paper, but even more importantly, it will eliminate the work that dozens of people do on the campus and in Central headquarters every single month to create those books, and it will be a much easier and more efficient process.

Secretary and Vice Chancellor Jay Hershenson stated that first, Mr. Chairman, I want to thank you and all of the Trustees and Chancellor Goldstein for the opportunity to serve the University in my new capacity. Thank you, very much. I did try to explain to my 92-year-old mother what the Secretary of the Board does, but she said, you will do fine as long as it has nothing to do with your penmanship.

This is a very exciting period for City University. November is being designated as CUNY Month by the Office of the Mayor and by the Office of the Governor. There are materials around the table about CUNY Month. You will see on one side a message about CUNY-TV and all of the different activities that are being planned on the campuses and on the other side a message from Chancellor Goldstein about the various open houses that are being made available.

You will also see a brochure that is being included with 75,000 DVDs that are being sent to the homes of public high schools and private high school students who have taken the PSATs. New Yorkers, including prospective students and interested members of the public, are invited to visit all CUNY colleges during the month of November to attend these open houses, financial aid workshops, cultural exhibits, concerts, lectures and other special events.

The calendar that has been put together with the help of all the colleges is, of course, available at www.cuny.edu. With the guidance of Vice Chancellor Otis Hill and his staff, career advice, admission counseling and how to meet
the cost of attending college, are among the topics being emphasized. There is a lot of activity with faculty, staff and students all throughout the CUNY system.

There will be a kick off reception at Gracie Mansion on Thursday, November 6th, 5:30 P.M. to 7 P.M. through the great help of Mayor Michael Bloomberg, to which, of course, the members of the Board, presidents, the CUNY Business Leadership Council, and other University constituencies are being invited.

The City of New York is including a CUNY Month message in all City paychecks during late October and the New York City Department of Education will do the same. So, this will cover literally several hundred thousand people. The State of New York with the help of the Governor’s Office, in particular Jeff Lovell, and the State Comptroller Alan Hevesi, is distributing flyers and materials to State employees all throughout the City.

We are getting a lot of support from the corporate community. JP Morgan Chase and Verizon are among some of the companies that are working with us to make CUNY Month a great success. Thank you.

Chairman Schmidt commented on the progress that this University continues to make in the attractiveness of its programs, and the heightened enrollment. We are seeing heightened academic standards. More and more this University is the model of accountability in higher education in this country to whom other universities are looking. We are seeing a tremendous renewal taking place, planned in terms of faculty hiring and the renewal of the faculty of the University. There are very few universities across this country that have such plans and indeed such achievements in place.

To everyone who has helped to make this possible on our campuses, all the presidents, of course, but this kind of progress does not take place without hundreds and hundreds and thousands of people at all levels of the University pulling together. And I think we as a Board will be getting more evidence of this as the year proceeds, and we as a Board are extraordinarily appreciative and enthusiastic about the work of everyone in this University, starting with the Chancellor and all of his cabinet, all the presidents, the faculty.

And I would just note that this is a remarkably propitious time to be able to move forward with the renewal in the faculty. We have seen in recent faculty appointments in my opinion, an extraordinary level of quality and energy and commitment that will only continue, given the problems of our sector around the country. So, our momentum is very impressive in a time of such fiscal constraint and I just think we ought to express our appreciation to everyone who has made that possible.

Trustee Haque stated that when I started at LaGuardia Community College a few years ago for my Associate degree, there was lots of negativity about the University in the media. But I am very pleased and all of my fellow students would be pleased to know that if they open the newspaper right now, the Times or Daily News, any of the newspapers, they would see lots of positive news about CUNY. And I think it is because of the hard work of the people at this table and the vision and hard work of our Chancellor and you, Mr. Chairman who have made these things possible. I would like to give a round of applause for all of you on behalf of the students.

I also would like to ask you a question to find out what has happened to the students who were at City University last semester and prior semesters, and who left because of the tuition hike, and whether or not they have been able to come back to CUNY. And I would like to find out for the Board, actually for everybody, about the student population that has not returned to the University.

Chairman Schmidt stated that Trustee Haque, I know that you raised that question at the recent meeting of the Committee on Fiscal Affairs. The Chairman, Joe Lhota has asked the staff to pull together as much as we can in the way of factual analysis of that. That’s actually one of the many things that we are in process of analyzing as we try to use the data to move the University forward and we will have a report on that.
Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 through 7)

**NO. 1. UNIVERSITY REPORT:** RESOLVED, That the University Report for September 29, 2003 (including Addendum Items) be approved:

**NO. 2. CHANCELLOR’S REPORT:** RESOLVED, That the Chancellor’s Report for September 29, 2003 (including Addendum Items) be approved:

**NO. 3. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the regular Board meeting of June 23, 2003 be approved.

**NO. 4. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH:** RESOLVED, That the following items be approved:

A. **NEW YORK CITY COLLEGE OF TECHNOLOGY – ESTABLISHMENT OF THE DEPARTMENT OF CAREER AND TECHNOLOGY TEACHER EDUCATION:**

RESOLVED, That the Department of Career and Technology Teacher Education be established at New York City College of Technology, effective October 1, 2003.

**EXPLANATION:** Pursuant to a thorough review, and with agreement of the affected departments and all affected faculty, New York City College of Technology proposes to establish the Department of Career and Technology Teacher Education. This action is intended to enhance the visibility of the Career and Technology Teacher Education programs that have been previously housed in the Department of Business, and will insure that the faculty will share the common goals central to providing academic quality and integrity. In addition, department status will give voting privileges to the department in the college’s governance structure, providing the faculty and students with a greater voice in future decision making. Finally, department status will help in the achievement of accreditation from NCATE (the National Council for Accreditation of Teacher Education).

Three instructional staff members of the Department of Business will be transferred to the Department of Career and Technology Teacher Education. A separate resolution has been submitted to the Board of Trustees via the University Report regarding the personnel actions. Contingent upon approval of the Board of Trustees, designated members of the Department of Business will be transferred effective October 1, 2003. The college plans to hire two full time faculty members by academic year 2005. Recruitment strategies have already been outlined to achieve this goal.

These actions follow consultations with the individual departments and affected faculty, the college Personnel and Budget Committee, the College Council Realignment Committee and the College Council. The proposed actions are strongly endorsed by the college administration and faculty governance.

B. **THE CITY COLLEGE – ABOLISHMENT OF THE DEPARTMENT OF ENGLISH AS A SECOND LANGUAGE:**

RESOLVED, That effective October 1, 2003 the Department of English as a Second Language be abolished.

**EXPLANATION:** Pursuant to a thorough review and with agreement of the affected department, The City College proposes to abolish the existing Department of English as a Second Language and to designate it as an ESL program. The goal of the program will remain the same as that of the department which is to help students become fluent, clear and correct in their writing, reading and oral communication skills.

A separate resolution has been submitted to the Board of Trustees regarding personnel actions. Contingent upon approval of the Board of Trustees, designated faculty members from the Department of ESL will be transferred to other academic departments.
These actions follow consultation with the individual departments and affected faculty as well as the unanimous approval by the College’s Personnel and Budget Committee. The proposed actions are strongly endorsed by the College Administration.

In response to a question from Trustee Morales, Trustee Ruiz stated that you are changing the name, and you are actually abolishing a department and then making it a program. You are giving the same service. The ESL student population has declined so there need not be a department.

Trustee O’Malley asked why there are so few ESL students in the senior colleges and also in the community colleges. I have talked with Executive Vice Chancellor Mirrer about this, and it may be that the high schools are better preparing the students, and it may be that there are not enough students who have GEDs or high school diplomas. But it still seems to me so curious that City College, which is located in the middle of the Dominican community, only has sixty-five ESL students. I know that the University is taking a look at trying to understand this, and I hope we do that.

Trustee Ruiz stated that at another discussion that we had at the committee meeting, we discussed demographics, and we discussed that oftentimes there is a period, or there are particular grades where students come in who are second language learners and all of this has a ripple effect at the college level. And it can change and it may have to be reviewed but at the present time, this is the appropriate action to take.

Executive Vice Chancellor Mirrer stated that I just want to make sure that everyone is clear that this is a University that is enormously hospitable to immigrants and immigrant students and no one should read this as anything other than that. 57% of our students this year spoke a native language other than English. However, only one in nine of those students say that they feel more comfortable speaking their native language, which says to me that they came here when they were quite young.

Thus, the University is serving an immigrant population, it is serving huge numbers of students whose native language is not English, but those students, for the reasons that have already been given by Trustee Ruiz and Trustee O’Malley, do not need English as a Second Language instruction when they come to the University. So, it is foreseeable that if the population of students coming to the University have no need for English as a Second Language instruction, that the University will not be providing as many sections as it had in the past.

As Trustee Ruiz says, if the picture changes, if the situation changes and it is quite possible that it will because the immigrant population in New York is growing, then, of course, the University has always been very careful to be attentive to the needs of its ESL students. I think we are a very rare breed of institution to offer so much English language instruction, which we do not necessarily offer through an ESL Department, but certainly through the CUNY Language Immersion Program, through our English language schools, through all of the work that we do through continuing education. As the need increases, we will obviously reevaluate where we are and if changes need to be made, we will make them.

NO. 5. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION:

Trustee Beal stated that although we did not have a quorum at the September 9, 2003 meeting of the committee, the members present supported the following items. Further, following the meeting, those committee members not present were polled by the Office of the Secretary, and it was the opinion of all committee members that the following items be presented to the Board of Trustees for approval.

RESOLVED, That the following items be approved:

A. LEHMAN COLLEGE – AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the Board of Trustees of The City University of New York approve the proposed amendments to the Governance Plan of Lehman College.
NOTE: See Appendix B

EXPLANATION: The proposed amendments to the Lehman College Governance Plan have been approved by the College Senate with a unanimous vote and are recommended by the College President. The substantive amendments make some minor changes to the composition of the College Senate and modify the amendment process. The College Senate will have 108 members consisting of 54 faculty members (one-half), 36 students (one-third), and 18 administration members (one-sixth). The amendment procedure is changed to eliminate the costly and burdensome requirement that 30% of the student body participate in a referendum with 75% approving, as well as 60% of faculty vote, with 75% approving. Instead, a 75% affirmative vote of the senators present will be required, provided that at least two-thirds of all senators are present for such vote. The proposed amendments are recommended even though they were not approved in accordance with the existing process in the Lehman College Governance Plan because the referendum process is costly and the required student participation and vote are considered unachievable.

B. THE CITY UNIVERSITY OF NEW YORK – ADOPTION OF BYLAW AMENDMENT WITHOUT NOTICE AT A PRECEDING MEETING TO AUTHORIZE THE GENERAL COUNSEL TO EXECUTE CONTRACTS:

RESOLVED, That Section 5.1 of the Bylaws of the Board, insofar as it requires that an amendment to the Bylaws be proposed at a meeting preceding the meeting at which a vote is taken be waived by the unanimous consent of the Trustees present; and be it further

RESOLVED, That Sections 2.5 and 2.6 of the Bylaws of the Board be amended, to authorize the General Counsel to execute contracts, as follows:

Section 2.5 DUTIES OF THE GENERAL COUNSEL.

General counsel shall direct a centralized legal office rendering, with an appropriate staff under the general counsel’s supervision, legal services to the board and to the city university of New York. The general counsel shall report to the chairperson of the board and to the chancellor of the university. The general counsel is authorized to verify pleadings and to sign affidavits and other documents in connection with legal proceedings in which the board and its interests are involved. The general counsel is also authorized and empowered to execute all contracts and agreements on behalf of the board.

Section 2.6 DUTIES OF THE SECRETARY.

The secretary of the board shall prepare the agenda of all meetings of the board, attend the meeting thereof and prepare the minutes of such meetings. The secretary shall have charge of all board records, files, minutes, official documents, and the seal of the board. The secretary shall cause a copy of the minutes of each meeting of the board to be forwarded promptly to its members and shall certify the same as a true copy when necessary. The secretary shall notify appropriate agencies and persons of the board’s actions and shall send notices of board and committee meetings to the members of the board; shall maintain a central calendar for meetings; and shall perform related duties assigned to him/her by the chairperson of the board. The secretary is authorized and empowered to sign [budget modification, execute all contracts,] communications, receipts, or other instruments requiring the signature of an authorized representative of the board, and to affix the seal of the board thereto, which documents reflect or effectuate prior action adopted or authorized by the board. In the event of the illness or absence of the secretary, the chairperson to the board is authorized to designate a member of the board’s staff to serve as acting secretary of the board.

NOTE: Matter underlined is new; matter bracketed is deleted.

EXPLANATION: As part of the realignment of the work of the Secretary’s office, the General Counsel, who already approves all contracts, will also be authorized to execute them. The Secretary’s authority to sign budget modifications is being deleted because it is historical and has not been used in many years.
C. HUNTER COLLEGE – ESTABLISHMENT OF THE BLANCHE D. BLANK CHAIR FOR PUBLIC POLICY IN URBAN AFFAIRS:

RESOLVED, That the Board of Trustees of The City University of New York approve the establishment of The Blanche D. Blank Chair for Public Policy in the Department of Urban Affairs and Planning at Hunter College.

EXPLANATION: In 1984, Dr. Blank's husband, Joseph “Buddy” Blank, contributed monies to establish The Blanche Davis Blank Urban Research Scholar Endowment. Dr. Blank, an alumna of Hunter College High School and the College, served as Acting President of Hunter College from 1993 to 1995. She was also a faculty member of the Department of Political Science from 1953 to 1972 and served as Dean of the Division of Social Sciences from 1972 to 1977. From 1981 to 1993, she served as Academic Vice President and Professor of Political Science at Yeshiva University. Dr. Blank continues to offer her invaluable services to the Hunter College community by serving on the Hunter College Foundation Board of Directors and other Hunter College committees.

The Blanche D. Blank Chair for Public Policy in the Department of Urban Affairs and Planning is a limited chair and is established to recognize exceptional scholarship in public policy and urban planning in honor of Dr. Blank's many contributions to the College. To date, over $75,000 has been raised and will be used at the discretion of the President to provide an annual salary supplement and/or funds for research support, equipment or supplies to the chair holder. The President, in consultation with the Provost of the College and the Dean of the School of Arts and Sciences, will recommend Dr. Joseph Viteritti as the first Blanche D. Blank Chair recipient.

D. HUNTER COLLEGE – ESTABLISHMENT OF THE ROSE DOBROF CHAIR FOR THE BROOKDALE CENTER ON AGING:

RESOLVED, That the Board of Trustees of The City University of New York approve the establishment of The Rose Dobrof Chair for the Brookdale Center on Aging at Hunter College.

EXPLANATION: Rose Dobrof has been Professor of Gerontology at Hunter College since 1964. She was the Founding Director of Hunter’s Brookdale Center on Aging and served as its Executive Director from 1975 to 1994. Among her many contributions to Hunter College, Dr. Dobrof was instrumental in making the Brookdale Center on Aging a leading research, education and clinical center. President Clinton appointed her to be a member of the Policy Committee for the 1995 White House Conference on Aging and to serve on the Federal Council on Aging. In 1997, Dr. Dobrof was appointed to be co-chair of the US Committee for the Celebration of the United Nations Year of Older Persons 1999. She also served on the National Advisory Council on Aging of the National Institutes of Health from 1999 to 2002. Dr. Dobrof has worked tirelessly and brilliantly in leading the Brookdale Center on Aging to advance both the education of professionals and research on the aging in order to enhance services for older Americans.

The Rose Dobrof Chair for the Brookdale Center on Aging is a limited chair and is established to recognize exceptional scholarship and research in the area of Aging and to honor Rose Dobrof's extraordinary endeavors. To date, over $300,000 has been raised and will be used at the discretion of the President to provide an annual salary supplement and/or funds for research support, equipment or supplies to the chair holder. The President, in consultation with the Provost of the College will recommend that the first beneficiary of The Rose Dobrof Chair be Dr. Dennis Kodner.

In response to a question from Trustee O'Malley, President Jennifer Raab stated that the first chair has not been filled yet and the second chair, the Rose Dobroff Executive Directorship, came out of a campus wide search committee that hired Dr. Kodner, representing the Divisions of Health, Science, Social Work, Arts & Science and members of the Brookdale Advisory Board who recommended these appointments, the position and the filling of the chair, which we were then raising money for. The recommendation comes from the chair of the department, the dean and the provost, and we are also determining proper consultation in accordance with where we selected other name chairs at Hunter, which has been done by various procedures and are trying to ascertain consultation, but the recommendation comes from the programs, the dean and the chair of that department.
Pursuant to action taken by the Board of Trustees on June 25, 1984 (Cal. No. 6.R.), approval of the following resolution was reported to the Board and certification of such approval is on file in the Office of the Secretary of the Board.


RESOLVED, That the collective bargaining agreement between The City University of New York and the International Alliance of Theatrical Stage Employees Union ("IATSE"), Local One for the period January 1, 2002, through March 31, 2004, is hereby approved; and be it further

RESOLVED, That the Chancellor is hereby authorized and directed to execute the collective bargaining agreement covering employees at the Sylvia and Danny Kaye Playhouse at Hunter College, The Brooklyn Center for the Performing Arts at Brooklyn College, and the Hostos Center for the Arts and Culture at Hostos Community College.

NOTE: See Appendix C

EXPLANATION: The City University recognized IATSE Local One on May 20, 2000, as the collective bargaining representative for employees in theatre titles at the performing arts centers at Hunter College, Brooklyn College, and Hostos Community College. The University established three new titles to cover these employees, namely, CUNY Theatre Technician, CUNY Theatre Specialist, and CUNY Lead Theatre Technician. This resolution approves the first collective bargaining agreement between the University and IATSE Local One.

(Approved by Benno C. Schmidt, Jr. (8/12/03), Valerie Lancaster Beal (8/18/03), John J. Calandra (8/12/03), and Joseph J. Lhota (8/13/03).

NO. 6. COMMITTEE ON FACILITIES, PLANNING, AND MANAGEMENT: RESOLVED, That the following items be approved:

A. MEDGAR EVERS COLLEGE – STUDENT SUPPORT SERVICES BUILDING:

RESOLVED, That the Board of Trustees of The City University of New York accept the design of the Student Support Services Building at Medgar Evers College, as prepared by Gruzen Samton Architects, Planners & Interior Designs, LLP, with a construction budget of $13,530,000; and be it further

RESOLVED, That the City University Construction Fund is requested to authorize the Dormitory Authority of the State of New York to complete the contract documents, to bid and award contracts and to supervise the construction of this project.

EXPLANATION: Medgar Evers College will construct 44,940 gross square feet of space for student services, administrative offices and classrooms. These functions will be relocated from the Carroll Street building.

B. LAGUARDIA COMMUNITY COLLEGE – CENTER 3 RENOVATION, PHASE I, ONE STOP SERVICE CENTER AND CLASSROOMS:

RESOLVED, That the Board of Trustees of The City University of New York accept the design of the Center 3 renovation, Phase I, One Stop Service Center and Classrooms at LaGuardia Community College, as prepared by Einhorn Yaffee Prescott P.C. with a construction budget of $6,600,000. The Board approved the selection of the design/engineering firm of Einhorn Yaffee Prescott P.C. by resolution dated May 27, 2002, Cal. No. 3.B.; and be it further
RESOLVED, That the City University Construction Fund is requested to authorize the Dormitory Authority of the State of New York to complete the contract documents, to bid and award contracts and to supervise the construction of this project.

EXPLANATION: LaGuardia Community College will renovate 47,943 gross square feet in the Center 3 building. This phase of renovation includes the construction of a portion of a One Stop Service Center for Admissions and Registration on the first floor and classrooms on the third, fourth and seventh floors.

C. BOROUGH OF MANHATTAN COMMUNITY COLLEGE – TEN YEAR LEASE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Secretary of the Board to execute a new ten-year lease, on behalf of Borough of Manhattan Community College, for approximately 186,551 square feet of space at 75 Park Place, New York, New York. The lease shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The proposed ten-year lease at 75 Park Place is critically needed to help ease the serious space problems that the College has endured since Fiterman Hall was vacated after September 11, 2001. After five years of use a review will be conducted to determine how much space the College needs after a new Fiterman Hall is completed. As appropriate, the University will allocate the remaining five years of the lease to other existing University programs located in existing leased spaces.

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

- **Term:** Ten years to start upon completion of Landlord’s Work.
- **Area:** Approximately 186,551 square feet of space (Part of the Ground Floor, and the entire Ninth, Tenth, Eleventh, Twelfth and Fourteenth Floors).
- **Annual Base Rent:**
  - First Five Years: $7,275,489 ($39.00/SF) per annum.
  - Second Five Years: $8,394,795 ($45.00/SF) per annum.

The Landlord, at his cost, will construct the space to the College’s specifications. The Landlord will provide all services to the space including cleaning and maintenance of the building’s mechanical, electrical and plumbing systems. The University will pay its own electric costs and reimburse the landlord for increases in real estate taxes and direct operating costs over the base year of the lease.

**Statement of Trustee Mastro**

The committee also heard a report on the University’s intent to explore the feasibility of constructing housing at City College.

**NO. 7. HONORARY DEGREES:** RESOLVED, That the following honorary degrees, approved by the appropriate faculty body and recommended by the Chancellor, be presented at the commencement exercise as specified:

<table>
<thead>
<tr>
<th>COLLEGE</th>
<th>DEGREE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medgar Evers College</td>
<td></td>
</tr>
<tr>
<td>Randy A. Daniels</td>
<td>Doctor of Laws</td>
</tr>
<tr>
<td>Shelia Evans-Tranum</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>Hazel W. Johnson-Brown</td>
<td>Doctor of Science</td>
</tr>
</tbody>
</table>
Gilbert Edward Noble  
Doctor of Humane Letters  
(To be awarded at the December 3, 2003, Convocation Ceremony)

John Jay College of Criminal Justice

Derrick A. Bell  
Doctor of Humane Letters  
Barbara Ehrenreich  
Doctor of Humane Letters  
Fred D. Gray  
Doctor of Humane Letters  
Mary Robinson  
Doctor of Humane Letters  
(To be awarded at the June 2, 2004, Commencement Exercises)

I would like to take a moment to remind everyone that starting on October 1st all of the Board meetings, all public hearings and Board committee meetings will be held in room 1010 at the Hunter College School of Social Work, which is located at 129 East 79th Street on the corner of Lexington Avenue. So, we will see all of you at that Hunter College School of Social Work for our Board meeting and our committee meetings in October.

Upon motions duly made, seconded and carried, the meeting was adjourned at 6:30 P.M.

SECRETARY AND VICE CHANCELLOR JAY HERSHENSON

(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.)
GOVERNANCE STRUCTURE OF LEHMAN COLLEGE

I. The Lehman College Senate

A. General Statement

The Lehman College Senate shall replace the existing Faculty Council. The Senate shall be a unicameral body, representing the faculty, students, and administration of the College, presided over by the President of the College.

B. Functions of the Senate

Subject to the authority and the Bylaws of the Board of Trustees, the College Senate shall be responsible for the formulation of academic policy and for legislative and advisory functions related to the programs, standards, and goals of the College.

1. Policy Functions

It shall have the power to formulate policy, to make policy recommendations, and to review the implementation of policy concerning:

   a) Academic affairs, including the development of curricula; degree requirements; inter-disciplinary programs; admission and grading practices and standards; and the awarding of credits, degrees and honors;

   b) Long-range planning to achieve the overall goals of the College, within The City University and the College community, including responsibility for the continued development of the College;

   c) Campus life and activities which promote the total educational program, including ancillary services within the College; student organizations; alumni and community relations;

   d) Practices and procedures for protection of academic freedom, the rights and liberties of each member of the Lehman College community, and the equitable settlement of internal campus problems.

2. Advisory Functions

It shall have the following advisory functions:

   a) To advise on the appointment of the President of the College and all Full Deans;

   b) To propose amendments to, and revisions of, the Bylaws of the Board of Trustees, and to recommend action to other bodies with jurisdiction over The City University;

   c) To assist the College Personnel and Budget Committee in the determination of budgetary priorities within the College;

   d) To advise the President, Deans, and Department Chairs concerning the procedures for faculty appointments, reappointments, promotions, tenure awards, and dismissal.
3. Legislative Functions

It shall have the following legislative responsibilities:

a) To carry out by legislation the aforestated policy functions;
b) To take such other recommending actions as the Senate may wish.

C. Composition of the Senate

The Senate shall consist of representatives of the faculty, the students, and the administration of the College. Faculty shall comprise one-half, students shall comprise one-third, and administrators shall comprise one-sixth of the Senate membership.

1. Representation of Faculty

a) Department Representation.
   One representative shall be elected from each department by and from those members eligible to vote in that department.

b) At-Large Representation.
   The number of faculty elected at-large shall be adjusted to maintain the percentage of faculty members at one-half the Senate membership.

c) Apportionment of Faculty Elected At-Large.
   Faculty Senators elected at-large shall be elected by and from the full-time members of the instructional staff acting as a single electorate. At-large Senators shall be apportioned in the following manner: Group A, consisting of all full professors, all associate professors, and all assistant professors with tenure; and Group B, consisting of all assistant professors without tenure, all instructors, and all lecturers full-time. At least one-third of the at-large seats shall be assigned to Group A faculty, and at least one-third to Group B faculty.

d) Representation of Part-Time Faculty
   Three part-time faculty Senators with full voting rights shall be elected from those part-time members of the instructional staff who teach at least six semester hours per week. They shall be elected by all part-time members of the instructional staff.

2. Administration Representatives

a) Ex-Officio Representation.
   The President, Vice-Presidents, Assistant Vice-Presidents, Full Deans, and Associate Deans shall be members of the Senate with full voting and floor rights.

b) Elected Representatives.
   There shall be five representatives, elected by and from those administrative officers who are not ex-officio members of the Senate, but who are members of the instructional staff. (Registrar and staff; Business Manager and staff; Higher Education Officers; College Technicians). They shall serve with full voting and floor rights.
c) Gittleson Employees.
   One elected representative of the Gittleson Employees shall be a member of the Senate with full
   floor rights and voting rights.

3. Student Representatives

For purposes of Senate composition "student" shall be defined as matriculated students.

   a) Number of Students.
      Students shall comprise a permanent one-third of the total membership of the Senate, based upon
      combining the total number of voting faculty and voting administration representatives.

   b) Election of Students.
      Student Senators shall be elected at-large. Graduate students shall receive at least one
      guaranteed seat.

4. Additional Representatives

The Senate may include in its membership with floor rights but not voting rights those other members of the Lehman
College community it deems desirable.

D. Length of Service in the Senate

1. Elected at-large Full-time Faculty and Administration Representatives.
   All at-large elected full-time faculty representatives to the Senate, and all elected administration
   representatives to the Senate, shall serve two-year terms and shall be eligible for re-election.

2. Departmental Representatives.
   Departmental Representatives shall be elected at times coinciding with regular departmental
   elections for Chair and departmental Personnel & Budget committees, shall serve for a term of
   three years, and shall be eligible for re-election.

3. Part-Time Faculty.
   Part-time faculty representatives shall be elected annually and shall serve two-year terms and
   shall be eligible for re-election.

4. Ex-Officio Representatives.
   Ex-Officio representatives shall serve in the Senate coincident with their tenure in their offices.

5. Student Representatives.
   Students shall be elected annually and shall serve for a term of one year and shall be eligible for
   re-election.

   Vacancies shall be determined and a procedure for filling vacancies shall be established by a joint
   faculty/student/administration committee which shall be selected by the Senate.
E. Organization of the Senate

The Senate shall establish the necessary offices, committees, and procedures to carry out its responsibilities, and take other necessary actions for the implementation of its aforesaid powers, with the following qualifications:

1. A joint faculty/student/administration committee shall establish procedures and mechanisms for the first election of the Senate, in conformity with the provisions stated under "Composition of the Senate." The faculty and administration members of the committee shall be chosen by Faculty Council. Student members shall be chosen by the student legislature. The committee shall provide for election of at-large student members proportional to the full-time equivalent registration of the Undergraduate and Graduate sessions. Thereafter the Senate itself shall establish procedures and mechanisms for its own elections.

2. As a general policy, membership in committees of the Senate shall include faculty, students, and administrators, and shall be open to nonmembers of the Senate.

3. Meetings of the Lehman College Senate shall be open to all members of the Lehman College community. Floor rights may be granted to nonmembers by vote of the Senate at the request of a member of the Senate.

II. Nullification of Senate Action

Enactment of Legislation By Referendum

A. Nullification of Senate Action

The General Faculty and the Student Body shall have the power to nullify any Senate decision or action in the following manner:

1. Initiation of an action to nullify a Senate decision or action shall be by petition of 20 percent of the faculty or 10 percent of the student body. The petition shall be directed to the Senate.

2. The Senate shall conduct separate referenda of the General Faculty and the Student Body within 20 class days of submission of a petition to nullify a decision or action, except that when the summer interim intervenes, the referenda shall be conducted within 20 class days of the commencement of the fall semester. Such actions to nullify must be completed by the conclusion of the first full semester following the Senate decision or action in question.

3. Nullification of a Senate decision or action shall require a two-thirds majority vote of both the General Faculty and the Student Body in the separate referenda, provided that 60 percent of the faculty and 30 percent of the student body vote in such referenda.

4. In any action to nullify, should a simple majority of either 60 percent of the faculty or 30 percent of the student body approve the proposal to nullify, the Senate will automatically reconsider the decision or action in question.

B. Enactment of Legislation By Referendum

The General Faculty and the Student Body shall have the power to enact legislation in the following manner:
1. Initiation of legislation shall be by petition of 20 percent of the faculty or 10 percent of the student body. The petition, stating the proposed legislation, shall be directed to the President of Lehman College.

2. The President shall submit the proposed legislation to separate referenda of the General Faculty and the Student Body within 20 class days of submission of petition to enact legislation, except that when the summer interim intervenes, the referenda shall be conducted within 20 class days of the commencement of the fall semester.

3. Enactment of legislation shall require a 75 percent majority vote of both the General Faculty and the Student Body in the separate referenda, provided that 60 percent of the faculty and 30 percent of the student body shall vote in such referenda.

III. Departments

Department functions and structures shall be retained with the following qualifications:

A. The Department Chair shall be elected except as otherwise specified in the Bylaws of the Board of Trustees, for a period of three years by members of the instructional staff of the department who hold faculty rank or faculty status.

B. Student participation on department committees shall be as follows:

1. Personnel and Budget Committees.
   Subject to the authority of the Professional Staff Congress/CUNY contract with the Board of Trustees: Students shall serve the departmental Personnel and Budget Committees in advisory capacity, with the method of service and number of students to be determined by the respective departments.

2. Other Standing Committees.
   Students shall have full voting rights on all departmental standing committees, other than Personnel and Budget Committees, with the number of students and the method of election to be determined by the respective departments.

IV. Personnel and Budget

The current Personnel and Budget Committee structures and functions on both the department and college-wide levels shall be retained, with the following qualifications:

A. Departments

1. Eligibility to Serve
   Members of the instructional staff with full-time appointments in titles of Professor, Associate Professor and Assistant Professor may serve as members of the Personnel and Budget Committees of their departments: a majority of the committee must be tenured.

2. Eligibility to Vote
   All full-time members of the instructional staff may vote for members of the Personnel and Budget Committees of their departments.
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.

B. College-wide Personnel and Budget Committee
   1. Student Representation
      Subject to the authority of the Professional Staff Congress/CUNY contract with the Board of Trustees: Students shall serve the College-wide Personnel and Budget Committee in an advisory capacity, with the method of service and number of students to be determined by the Committee.

V. General Faculty
   A. Composition of the General Faculty
      The General Faculty of Lehman College shall be composed of all full-time members of the instructional staff, and all others who teach at least six semester hours per week. All such members shall be entitled to full voting and floor rights at any meeting of the General Faculty, and may vote in any election or referendum in which the General Faculty participates. Other members of the instructional staff shall have full floor rights in meetings of the General Faculty.

   B. Functions of the General Faculty
      The General Faculty may:
      1. consider any matter related to the interests or welfare of Lehman College;
      2. take positions on College issues;
      3. deal with any matter related exclusively to faculty interests or welfare, not specifically assigned to another body;
      4. make recommendations to the Lehman College Senate and to any agent, department, committee, or organization of the College, and review actions taken in pursuance to its recommendations;
      5. elect at-large Senators to the Lehman College Senate, as provided in appropriate sections of Article I;
      6. elect by secret ballot faculty representatives to the University Faculty Senate, and other bodies or committees as requested;
      7. and shall act through referendum in the process of Nullification of Senate Actions, in the procedure for Enactment of Legislation By Referendum.

VI. Student Body
   A. Composition
      The Student Body of Lehman College shall consist of all matriculated students, and all non-matriculated students.
B. Functions

The Student Body shall:

1. elect student representatives to the Lehman College Senate and, upon request, to other bodies and committees;

2. act through referendum in the process of Nullification of Senate Actions and in the procedure for Enactment of Legislation By Referendum.

3. any student or group of students may make recommendations to the Senate and to any agent, department, committee, or organization of the College.

C. Student Conference

1. Composition

The student members of the Senate shall constitute the Student Conference.

2. Functions

a) Shall provide a forum for discussion of, and taking positions on, College issues;

b) Shall hold monthly meetings, open to the Lehman College community, to ascertain opinion on matters which are the concern of the Senate.

c) After consideration by the Student Conference, any item may be placed on the Agenda of the Senate.

D. Student Governance

An organization to administer student affairs shall be established by student referendum.

VII. Amendment Procedure

This document may be amended in the following manner:

A. Proposal of an Amendment

1. Proposal of an amendment to this document shall be in the following method:

A written proposal signed by 25 faculty and students, including at least 10 from each group, shall be considered as a proposed amendment to this governance document. All such proposed amendments shall be referred to the Senate Governance Committee. The Governance Committee will review the proposed amendment and recommend an appropriate course of action to the Senate.

B. Adoption of an Amendment

1. Procedure for adoption of amendments to this document shall be as follows:

A 75% affirmative vote of Senators present shall be required to adopt an amendment to this governance document, provided that at least 2/3 of all Senators are present for such vote.
2. Amendments adopted by the procedure above shall be presented for approval to the Board of Trustees.

MEMORANDUM OF AGREEMENT
For 2002-2004 Agreement

by and between

THE CITY UNIVERSITY OF NEW YORK
and
THE INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES
UNION LOCAL ONE

MEMORANDUM OF AGREEMENT made this 29th day of September 2003 (hereinafter "MOA") by and between the undersigned parties, to wit, International Alliance of Theatrical Stage Employees Union Local One (referred to as the "Union" or "Local One"), and The City University of New York (referred to as the "University" or "CUNY").

WHEREAS, the University, acting on behalf of the Sylvia and Danny Kaye Playhouse at Hunter College, The Brooklyn Center for the Performing Arts at Brooklyn College, and The Hostos Center for the Arts and Culture at Hostos Community College, have entered into negotiations and have reached this first agreement with Local One to cover the subject employees that will be placed in the classified staff titles established by the University, to wit, CUNY Theatre Technician, CUNY Theatre Specialist, and CUNY Lead Theatre Technician;

WHEREAS, the undersigned parties now desire to enter into a collective bargaining agreement to include the negotiated terms and conditions contained in this "MOA" to cover the subject employees to be covered under this MOA and represented by the Union ("Employees");

WHEREAS, the undersigned parties to this agreement intend by this MOA to cover all economic and non-economic matters, and to incorporate the following terms and conditions of this MOA into a collective bargaining agreement as set forth below;

WHEREAS, the terms and conditions contained herein will go into effect upon the execution by all the parties to this agreement listed below, unless otherwise specified;

NOW, THEREFORE, it is mutually agreed to by and between the parties as follows:

1. **Term of Agreement:**
The term of the Agreement shall be twenty-seven (27) months, which shall be effective retroactively from January 1, 2002, through March 31, 2004. The agreement shall consist of 4% effective the first day of the agreement; an additional 4% compounded effective the second year of the agreement; and 1% effective at the end of the 27-month agreement. (see, Section 3, below for the applicable distribution of the economic package).

2. **Scope and Jurisdiction Clause:**
   a. This Agreement shall apply to and cover all employees in the titles of Theatre Technician, Theatre Technician Specialist, and lead Theatre Technician. This Agreement will cover the work performed by employees in the aforementioned CUNY titles ("bargaining unit"), as specifically set forth in their respective job specifications.
   b. It is understood and agreed that this Agreement does not apply to or cover any current or future work performed as part of the academic mission of the University. Notwithstanding, such work may be assigned to bargaining unit employees at the discretion of the performing arts center's management.
   c. (i) Bargaining unit employees may operate rental equipment, or other non-house equipment, except where a rental company requires as a condition of renting equipment the use of its own employees. Local One recognizes the right of a traveling stage crew to work on equipment that the crew brings into the theatre.
      (ii) It is understood that this agreement shall not apply to the use, by a lessee of the theatre, of its own technical staff to load in, set up, and operate production equipment. In such cases, appropriate supervision shall be assigned.
(iii) It is understood that this agreement shall not apply to load in, set up, or operation of theatrical equipment by an artist or performer, where visual projection or audio presentation is the art or performance, or where an integral part of the performance may be set up by. and/or moved by an artist or performer in preparation for or during a performance.

d. The hiring of employees in the bargaining unit shall be conducted in accordance with New York State Education law, New York State Civil Service law, the University's Personnel Rules and Regulations, and the University's EEO and affirmative action obligations under federal, state, and Local laws. The performing arts center's management shall not be precluded from hiring employees from appropriate sources, including, but not limited to, Local One's membership pool (in accordance with the University's Personnel Rules and Regulations), on an emergency or on an as-needed basis.

3. Welfare Fund and Annuity Fund Contributions:
   a. Effective January 1, 2002, CUNY agrees to contribute monthly to the "Welfare Fund of Local One, IATSE," the sum equal to four (4%) percent of the gross monthly earnings of all bargaining unit employees.
   b. Effective January 1, 2003, CUNY agrees to contribute monthly an additional one and one-half (1.5%) percent of the gross monthly earnings of all bargaining unit employees to the "Welfare Fund of Local One, IATSE," which shall total five and one-half (5.5%) percent when combined with that of paragraph 3 (a) above.
   c. Effective January 1, 2003, CUNY agrees to contribute monthly to the "Annuity Fund of Local One, IATSE" the sum equal to two and one-half (2.5%) percent of the gross monthly earnings of all bargaining unit employees.
   d. Effective March 31, 2004, the end of the 27-month agreement, CUNY agrees to contribute monthly to the "Annuity Fund of Local One, IATSE" an additional sum equal to one (1.0%) percent of the gross monthly earnings of all bargaining unit employees, which shall total three and one-half (3.5%) percent when combined with that of paragraph 3 (c) above.
   e. It is understood that pursuant to the agreement reached between the parties, bargaining unit employees will not be entitled to participate in the New York City Health Insurance Benefits Program. It is further understood that Local One hereby forfeits any claim for the payment(s) that the University would have made into the City's program on behalf of full time and hourly bargaining unit members.

Furthermore, Local One agrees that if a court or arbitrator of competent jurisdiction were to award Local One a credit, in whole or in part, for the cost of the City's Health Insurance Benefits Program, Local One agrees to provide concomitant savings to fully neutralize the cost of any such award.

In accordance with Paragraphs 3 (a) and (b) above, the University agrees to make contributions to Local One's Welfare Fund for the purpose of providing health and other welfare benefits to bargaining unit employees.

4. Prohibition of Further Economic Demands
   No party to this MOA shall make additional economic demands during the term of this agreement.

5. Compensation for taped or filmed events for National Distribution or Broadcast for profit
   CUNY agrees to pay a $1.00 additional compensation per hour for bargaining unit employees assigned to work on a tape or filmed event for national distribution or broadcast for profit, which shall exclude events pertaining to dance schools or recitals.

6. Daily Overtime Compensation
   CUNY agrees to compensate bargaining unit employees time and one-half (1x1/2) for assigned work in excess of eleven (11) hours worked in a daily tour of duty. In no event shall there be compound or cumulative (e.g., pyramid) of payments.

7. Meal Penalty
   CUNY agrees to compensate bargaining unit employees with a limited one (1) hour meal penalty at the applicable straight time, for any meal not permitted between the beginning of the 3rd hour of work and the beginning of the 6th hour of work. If management limits the allotted meal period to thirty (30) minutes, bargaining unit employees will
remain on the clock during said meal period. In no event shall there be compound or cumulative (e.g., pyramid) of payments.

8. **Designated Paid Holidays**
CUNY agrees to designate eight (8) paid holidays which shall be applicable to full time employees only. They are as follows: New Years Eve, New Years Day, July 4th, Labor Day, Memorial Day, Thanksgiving Day, Christmas Eve, and Christmas Day.

9. **Holiday Pay**
CUNY agrees to compensate full time and hourly bargaining unit employees assigned to work on a designated holiday, as set forth in Paragraph 8, time and one-half (1x1/2) for the hours worked. In no event shall there be compound or cumulative (e.g., pyramid) of payments.

10. **Paid Sick Leave**
CUNY agrees to provide full time bargaining unit employees with one (1) sick leave day consisting of seven (7) hours for each month of creditable employment per calendar year. Unused sick leave accrued by a full time bargaining unit employee shall be carried over from year to year to a maximum of 180 days. Full time employment in this bargaining unit shall be defined as 35 hours per week for at least 42 weeks.

11. **Paid Annual Leave**
CUNY agrees to provide full time bargaining unit employees with one and one-quarter days of annual leave for each month of creditable employment up to a maximum of 54 days. In the event of separation of service by retirement, resignation or termination, such full time employee shall be compensated for the unused annual leave accrued.

12. **Fair Labor Standards Act**
CUNY agrees to follow the provisions and obligations under the Fair Labor Standards Act.

13. **Scheduling of Work Week**
The normal work week for a full time employee shall be 35 hours. Wherever practicable, the normal work week for full time bargaining unit employees shall consist of five (5) consecutive working days separated by two (2) consecutive days off. It is agreed and understood that the scheduling of a work week is a managerial prerogative.

14. **Compensation after Midnight**
CUNY agrees to compensate full time and hourly bargaining unit employees time and one-half (1x1/2), for work assigned from midnight (12:00 a.m.) to 7:00 a.m. In no event shall there be compound or cumulative (e.g., pyramid) of payments.

15. **Minimum Call Compensation**
CUNY agrees to compensate full time and hourly bargaining unit employees assigned to a call for a minimum of (4) hours for each work call. In no event shall there be compound or cumulative (e.g., pyramid) of payments.

16. **Cancellation Call Provision**
CUNY agrees to compensate full time and hourly bargaining unit employees four (4) hours payment if a call is canceled less than twelve (12) hours prior to its start time, unless the call is canceled for acts of God or acts of Government. In no event shall there be compound or cumulative (e.g., pyramid) of payments.

17. **No Replacement to Avoid Overtime**
CUNY agrees that employees working on the same production shall not be involuntarily replaced to avoid the payment of overtime.

18. **Disciplinary Guidelines**
   a. Full-time employees: The disciplinary guidelines discussed below shall be applicable to all full-time permanent employees in the bargaining unit entitled to disciplinary rights, e.g., those who have satisfactorily
completed one (1) year of probationary service. Full-time shall be defined as those employees in the bargaining unit working a 35 hour week for at least 42 consecutive weeks on paid status.

b. The disciplinary guidelines discussed herein shall not be applicable to hourly employees of the bargaining unit.

c. The employer may discipline any full-time employee for incompetence or misconduct. The employee must be notified by the College in writing of the charges and the date and location of the disciplinary hearing. The employee shall have the right to have union representation during this hearing. The hearing shall be held within thirty (30) calendar days of the date of notification. The decision by the hearing officer will be issued within fourteen (14) work days after the conclusion of the hearing. The forms of discipline shall include, but not be limited to, a written reprimand, a fine not to exceed $100, suspension without pay for a period not exceeding two (2) months, demotion or termination. For exceptional circumstances requiring immediate action by a college, including, but not limited to, potential injury to staff, faculty, students, or members of the college community, or unreasonable disruption of college operations, an employee may be suspended without pay prior to a disciplinary hearing pending a decision by the College. A penalty, such as those enumerated above issued by the College after a hearing, including termination, shall be effective upon issuance of said decision.

d. The Union or the employee may appeal the College's decision to the CUNY Civil Service Commission, or the Union may appeal the College's decision to binding arbitration. An appeal to the CUNY Civil Service Commission shall be submitted in writing to the Secretary of the Commission within thirty (30) calendar days of receipt of the College's decision. A request for arbitration shall be made in writing to the American Arbitration Association within thirty (30) calendar days of receipt of the College's decision. A copy of said request for arbitration shall also be forwarded to CUNY's Office of Legal Affairs.

e. Appeals to the Commission: Appeal to the CUNY Civil Service Commission shall be on the basis of the record at the College hearing. The College shall furnish the Secretary of the Commission a record of the disciplinary proceedings. The employee shall have the right to have union representation during this appeal proceeding.

f. Appeals to Arbitration: Following the Union's request for arbitration, an arbitrator shall be selected in accordance with the rules of the American Arbitration Association, or the parties may agree to designate an arbitrator using the CUNY Classified Staff Arbitration Panel. The employee shall have the right to have union representation during this appeal proceeding. The decision of the arbitrator shall be final and binding. The fees and expenses of the American Arbitration Association and the arbitrator shall be borne equally by the parties.

19. Grievance and Arbitration Guidelines

a. A grievance shall be defined as an allegation by an employee or Local One that there has been a breach, misinterpretation or improper application of a term of this Agreement, and shall be processed and disposed of as set forth below.

b. Step I. An employee and/or his Local One Business Manager or Representative shall advise the Director of the Performing Arts Center or the Production Manager in writing of an employee's grievance. Grievances shall be filed no later than thirty (30) calendar day after the date on which the grievance arose. Any grievance not I processed within the time limits specified shall be deemed waived by the employee and/or Local One. The parties shall meet within fourteen (14) work days of filing to discuss the grievance. The decision by the College shall be issued within fourteen (14) work days of the grievance meeting.

c. In the event the College exceeds any time limit discussed within the grievance guidelines, and there is no agreement between the parties for a waiver of such time limit, the grievant and/or Local One may invoke the next step of the grievance guidelines, except that only Local One may invoke impartial arbitration under Section 19. d. below.

d. Step 2. A grievance which has not been satisfactorily resolved at Step I may be referred by the employee or the union within thirty (30) calendar days of the decision in Step 1 to an arbitrator selected in accordance with the rules of the American Arbitration Association for a final and binding determination, or the parties may agree to designate an arbitrator using the CUNY Classified Staff Arbitration Panel for a final and binding determination.

e. Any arbitrator selected for a grievance as defined herein, shall have no power to add to, subtract from, or modify in any way the terms of this Agreement.
f. The fees and expenses of the American Arbitration Association and the arbitrator, if utilized, shall be borne equally by the parties.
g. A grievance filed under this Agreement may be resolved by settlement agreement only if agreed to in writing by the University Office of Faculty and Staff Relations and an authorized representative of Local One.

20. Access to the CUNY Performing Arts Centers
It is understood and agreed that Local One shall be given access to The Sylvia and Danny Kaye Playhouse at Hunter College, The Brooklyn College Center for the Performing Arts, The Hostos Center for the Arts Culture at Hostos Community College, provided they give notice to the respective College Human Resources Director of the purpose, date and time of their planned visit. Access to any of the subject CUNY theatres is contingent upon Local One receiving authorization from the College Human Resource Director. It is further understood and agreed that Local One's meetings or discussions with bargaining unit employees shall occur on their meal break or on non-CUNY time so as not to interfere with the College's business.

21. Maintaining a Safe, Healthy and Sanitary Work Environment
It is understood and agreed that CUNY will make every effort to maintain a safe, healthy, and sanitary work environment for bargaining unit employees.

22. Employee Wage Deduction for Local One
It is understood and agreed that CUNY will make arrangement with the Office of the State Comptroller (for CUNY's Senior Colleges), and the New York City Office of Payroll Administration (for CUNY's Community Colleges) to have a sum equal to four percent (4%) deducted from the biweekly salaries of bargaining unit members and forwarded to Local One.

23. Resolution of Disputes
It is understood and agreed that any dispute, controversy, or claim concerning or arising out of the execution, application, interpretation or performance of any of the terms or conditions of this MOA shall be submitted to arbitration upon written notice therefore by any of the parties to this MOA to the party with whom such dispute or controversy exists. The matter submitted for arbitration shall be submitted in accordance with the terms of the dispute resolution provisions contained herein in this MOA.

24. No Strike Clause
The University and the Union agree that disputes which may arise between them during the term of this Agreement shall be settled without resort to strike or lockout and that the requirements of the law in this regard shall not be violated. The University agrees that it will not lock out any or all employees and the union agrees on behalf of itself and its membership that there shall be no strikes, slowdowns, work stoppages or interference with the normal operation of the University.

25. Retroactivity
In the event that any payment is not paid on the date due under this MOA, such payment when made shall be paid retroactive to such due date.

26. Pension Benefits
It is understood and agreed that in accordance with the requirements of the New York City Employees Retirement System ("NYCERS"), full time permanent bargaining unit employees will be required to become members within six (6) months after their date of appointment, but may voluntarily elect to join the system prior to their mandated membership date. It is also understood and agreed that all other eligible employees, to wit, hourly bargaining unit employees have the option of joining the NYCERS pension system upon appointment or at anytime thereafter.

See, the Pension Benefit Agreement attached hereto as Appendix A, which shall be deemed to be part of this MOA.

27. Savings Clause
It is understood and agreed that in the event that any provision of this MOA is found to be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions of this MOA.
28. **Legislative Action**
   It is agreed by and between the parties that any provision of this Agreement requiring legislative action to permit its implementation by amendment of law or by providing the additional funds therefore, shall not become effective until the appropriate legislative body has given approval.

29. **Approval and Ratification:**
   This MOA is subject to the approval and ratification by the appropriate City and State authorities, the Board of Trustees of The City University of New York, the Board of Trustees of IATSE Local One, and the pending employees targeted to be placed in the CUNY Theatre Technician titles represented by IATSE Local One.
WHEREFORE, we have hereunto set our hands and seals on this 3rd day of September, 2003.

THE UNION

[Signature]

By: James J. Claffey, Jr. Date
Business Agent 9/11/03
IATSE Local One

THE CITY UNIVERSITY OF NEW YORK

[Signature]

By: Matthew Goldstein Date
Chancellor

CUNY AND LOCAL ONE MOA 2002-2004 Final 081103
WHEREAS, it is understood and agreed between The City University of New York ("CUNY" or "University"), acting on behalf of the Sylvia and Danny Kaye Playhouse at Hunter College, The Brooklyn Center for the Performing Arts at Brooklyn College, The Hostos Center for the Arts Culture at Hostos Community College, and IATSE Local One, that the terms contained herein shall supplement the 2002-2004 Memorandum of Agreement between the parties;

NOW, THEREFORE, it is mutually agreed to by and between the parties as follows:

1. It is understood and agreed that Mr. Steve Bailey, a Senior College Laboratory Technician at The Brooklyn Center for the Performing Arts at Brooklyn College, and Mr. Jack Jacobs, a Higher Education Officer at The Hostos Center for Arts and Culture at Hostos Community College, may continue to perform the work they are currently performing at their respective theatres ("grandfathered"), notwithstanding the fact that their work includes functions contained in the job specifications for the CUNY Theatre Technician titles represented by IATSE Local One. The parties agree that when Mr. Bailey and Mr. Jacobs cease to be employed by CUNY in their present capacities, the functions that they performed that are contained in the job specifications for the titles represented by Local One, will be assigned to bargaining unit members of Local One.

2. It is understood and agreed that effective May 20, 2000, all full time bargaining unit members who have been employed by their respective theatres continuously for one (1) or more years, and have been performing bargaining unit work, shall have permanent civil service status and shall be entitled to disciplinary rights pursuant to the Disciplinary Guidelines contained in the 2002-2004 Memorandum of Agreement negotiated on behalf of the subject Performing Arts Centers by the University and IATSE Local One.

3. This supplemental agreement constitutes the entire understanding reached by the University and Local One, and it cannot be further supplemented, amended, or modified in any manner, except in writing and by agreement of the parties.
Agreement on Jointly Supported Pension Enhancements
June 6, 2000

AGREED AND ACCEPTED

[Signature]
BOARD OF EDUCATION

AGREED AND ACCEPTED

[Signature]
NEW YORK CITY HOUSING AUTHORITY

AGREED AND ACCEPTED

[Signature]
CITY UNIVERSITY OF NEW YORK

AGREED AND ACCEPTED

[Signature]
OFF TRACK BETTING
Agreement on Jointly Supported Pension Enhancements
June 6, 2000

AGREED AND ACCEPTED

PETER SCARLATOS
CO-CHAIR, MLC
LOCAL 831, I.B.T. UNIFORMED
SANITATIONMEN'S ASSOCIATION, AFL-CIO

CARL HAYNES
EXECUTIVE VICE CHAIR, MLC
LOCAL 237, CITY EMPLOYEES UNION, I.B.T.,
AFL-CIO

AGREED AND ACCEPTED

LEE SAUNDERS
SECRETARY, MLC
DISTRICT COUNCIL 37, AFSCME, AFL-CIO

KEVIN GALLAGHER
TREASURER, MLC
LOCAL 94, UNIFORMED FIREFIGHTERS
ASSOCIATION OF GREATER NEW YORK

AGREED AND ACCEPTED

HELVYNN AARONSON
CO-CHAIR, MLC PENSION COMMITTEE
MEMBER, TEACHER'S RETIREMENT BOARD

JOHN DRISCOLL
CO-CHAIR, MLC PENSION COMMITTEE
TRUSTEE, POLICE PENSION FUND
THE CAPTAINS ENDOWMENT ASSOCIATION