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

HELD

JUNE 26, 2006

AT BARUCH COLLEGE VERTICAL CAMPUS
55 LEXINGTON AVENUE – BOROUGH OF MANHATTAN

The Chairperson called the meeting to order at 4:37 P.M.

There were present:

Benno C. Schmidt, Jr., Chairman
John S. Bonnici
Wellington Z. Chen
Kenneth E. Cook
Rita DiMartino
Randy M. Mastro

Hugo M. Morales
Marc V. Shaw
Freida Foster-Tolbert
Jeffrey S. Wiesenfeld

Carlos Sierra, ex officio
Manfred Philipp, ex officio (non-voting)

Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Jay Hershenson, Secretary and Vice Chancellor for University Relations
Hourig Messerlian, Deputy to the Secretary
Anthony Vargas

Chancellor Matthew Goldstein
Executive Vice Chancellor Selma Botman
Senior Vice Chancellor Allan H. Dobrin
President Dolores Fernandez
President Ricardo Fernandez
President Russell K. Hotzler
President Marcia V. Keizs
President William P. Kelly
President Christoph M. Kimmich
President Eduardo J. Marti
President Gail O. Mellow
President James L. Muyskens
President Antonio Perez
President Regina Peruggi

President Marlene Springer
President Jeremy Travis
President Carolyn G. Williams
Interim Dean Mary Lu Bilek
Dean Stanford A. Roman, Jr.
Dean Stephen Shepard
Vice Chancellor Ernesto Malave
Vice Chancellor Brenda Richardson Malone
Vice Chancellor Michael Zavelle
Interim Vice Chancellor Eduardo del Valle
Senior University Dean John Mogulescu
University Assistant Dean Harry Franklin
Vice Chancellor Designate Garrie Moore

The absence of Trustees Valerie Lancaster Beal, Philip Berry, Joseph J. Lhota, Kathleen M. Pesile, and Carol A. Robles-Roman was excused.
Chairman Schmidt called the meeting to order, and stated that the Board will go into Executive Session to discuss personnel matters after the Public meeting ends. We will then reconvene in a brief Public Session following the Executive Session. He announced that the following notice, which had been widely distributed, would be entered into the record of this public meeting:

“The meetings of the Board of Trustees of The City University of New York are open to the public, and the Board welcomes the interest of those who attend. The public has ample opportunity to communicate with the Board. Public hearings on the Board’s policy calendar are scheduled one week prior to the Board’s regular meetings and members of the public who wish to communicate with the Board are invited to express their views at such public hearings. Furthermore, the Board holds additional public hearings each year in all of the five boroughs at which members of the public may also speak. In addition, written communications to the Board are distributed to all Trustees.

The Board must carry out the functions assigned to it by law and therefore will not tolerate conduct by members of the public that disrupts its meetings. In the event of disruptions, including noise which interferes with Board discussion, after appropriate warning, the Chairman will ask the security staff to remove persons engaging in disruptive conduct. The University may seek disciplinary and/or criminal sanctions against persons who engage in conduct that violates the University’s rules or State laws which prohibit interference with the work of public bodies.”

A. VIDEOTAPING OF BOARD MEETING: Chairman Schmidt announced that as usual CUNY-TV is transmitting this afternoon’s meeting of the Board of Trustees live on cable Channel 75, continuing to make available this important community service.

Chairman Schmidt stated that on behalf of the Board he was very pleased to welcome Trustee Freida Foster-Tolbert to her first Board meeting. Trustee Foster-Tolbert was appointed to the Board by Governor Pataki and unanimously confirmed by the State Senate last week. Trustee Foster-Tolbert has worked for Governor Pataki for over seven years and brings a strong commitment to education and to this University, including a three year period in which she worked for BMCC. She has an impressive background of experience in community relations and other important government work. So, welcome to you, Trustee Foster-Tolbert.

Statement of Trustee Freida Foster-Tolbert:
Thank you, very much. It is going to be quite an exciting time for me to serve on this Board. It is an honor and a privilege to be here among a quite august group. I am looking forward to a good time. Thank you.

Trustee Phillip Berry was also appointed to this Board by Governor Pataki and confirmed by the State Senate last week. Trustee Berry is known to many of us as a current member of the City University Construction Fund and a long time member of the CUNY Business Leadership Council. He will be joining the Board at our next meeting, the first meeting in the fall, and I will formally introduce Philip Berry to you at that time.

Chairman Schmidt stated that before he asks for a special resolution of appreciation, he would also like to welcome Trustee and Professor Manfred Philipp who is with us this afternoon, and call on Dr. Susan O’Malley. I want to thank Susan very much for her very dedicated service to this Board. We have all enjoyed working with you a lot and we will miss you, even though we look forward to working with Dr. Philipp. Would you be kind enough to introduce our new Trustee?

Statement of Dr. Susan O’Malley:
Manfred Philipp is a Professor of Chemistry at Lehman College and at the Graduate School and University Center. I think he will bring certain expertise to the Board that will be much appreciated because of his knowledge of science. He has been an executive committee member and I have really enjoyed working with him. I want to also say thank you for the last four years. I’ve learned a lot, I have made some friends, I have learned to be diplomatic and I will miss you. Thank you.
Statement of Manfred Philipp:
Thank you, Susan, for the kind introduction and thank you Chairman Schmidt. I look forward to working with this Board for at least the next two years, that’s my term of office as Chair of the University Faculty Senate, and hence ex officio on this Board. Thank you, very much.

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 11 and 12)

NO. 11. RESOLUTION OF APPRECIATION - NILDA SOTO RUIZ:

WHEREAS, The Honorable Nilda Soto Ruiz was appointed by Governor Pataki to the Board of Trustees of The City University of New York in 1996; and

WHEREAS, For ten years, she has been a dedicated Trustee and brought to the Board more than three decades of experience working in the New York City Public Schools and in higher education, including teaching bilingual education theory and practice at Hunter College; and

WHEREAS, She was a welcomed academic voice, a Trustee who was doctorally trained, an alumnus of City College, and brought her knowledge, patience, respect and dedication to high standards to her service as Chair of the Board’s Standing Committee on Academic Policy, Program and Research, and as Vice Chair of the Board’s Standing Committee on Fiscal Affairs; therefore be it

RESOLVED, That the members of the Board of Trustees of The City University of New York express their thanks and deepest appreciation to the Honorable Nilda Soto Ruiz; and be it further

RESOLVED, That the Board of Trustees extends its best wishes for continued success in all her future public and private endeavors. Resolution unanimously adopted, followed by a standing ovation.

NO. 12. RESOLUTION OF APPRECIATION - JOHN J. CALANDRA:

WHEREAS, The Honorable John J. Calandra was appointed by Governor Pataki to the Board of Trustees of The City University of New York in 1996; and

WHEREAS, For ten years he has been a dedicated Trustee and has played an important role in working on behalf of CUNY’s renewal, including his support for the enhancement of academic standards at all levels and outreach to diverse communities; and

WHEREAS, He served as co-chair in the search for new leadership of the John D. Calandra Italian American Institute; and

WHEREAS, During his tenure, his wisdom and insight contributed greatly to the deliberations of the Board; now therefore be it

RESOLVED, That the members of the Board of Trustees of The City University of New York express their sincere thanks and deepest appreciation to the Honorable John J. Calandra for his energy, dedication, and outstanding service to The City University of New York; and be it further

RESOLVED, That the Board of Trustees extends its best wishes for continued success in all his future public and private endeavors. Resolution unanimously adopted, followed by a standing ovation.

Chairman Schmidt stated that on behalf of the Board it is a pleasure to welcome Vice Chancellor for Student Development Designate Garrie Moore to the meeting. He has joined us today at the table. Welcome, sir, we look forward to working with you and to your work with the Board Committee on Student Affairs and Special Programs. Congratulations to you for joining us here.
I would like also to welcome Interim Vice Chancellor for Facilities, Planning and Management, Eduardo del Valle. The Board would like to especially honor and recognize Dean Harry Franklin for his able work for the University during this transition period in Student Affairs. Thank you, Harry, for all you have done for CUNY at this time and for past service as well.

Chairman Schmidt stated that it is a great pleasure to welcome and have a chance to formally congratulate two City University students who brought us honor by recently receiving prestigious national scholarship awards. These two students were not able to join us when we honored the other students at our April Board meeting, so we want to have a chance to honor them today.

Joining us this afternoon is Queens College and Honors Program junior Rachel Schnur, who won a $7,500 Goldwater Scholarship for Excellence in Math and Science. May I call on President James Muyskens to introduce Ms. Schnur?

Statement of President James Muyskens:
Thank you, very much, Mr. Chair. It certainly is an honor to be here. For some of you, if you think Rachel over there looks familiar, it may be because of our campaign at Queens College and the city buses, you have seen her face there. She is definitely the kind of student you want to be the face of your college.

She is a junior, a biology major, as was noted. The Goldwater Scholarship is one that recognizes outstanding students who intend to pursue research careers in the sciences. Awards are nothing new to Rachel. She has been receiving them ever since she tied for first place in a science fair in the sixth grade. Since then she has been a Queens scholar and a Vallone scholar.

Last summer she studied as an intern doing cancer research at the Albert Einstein College of Medicine and this summer she will investigate plant genetics as a participant in the Queens College Howard Hughes Medical Institute summer program. She plans to pursue a career in cancer research and university teaching after earning a doctorate in molecular genetics.

Perhaps Rachel is fascinated with genetics because she wants to know if she chose to attend Queens College of her own free will or if she was genetically determined because her mother, her grandmother and her uncle are all graduates of the college and her younger sister Katie is a freshman at the college. Whatever the reason, we are proud that Rachel Schnur is a member of the Queens College family.

Statement of Rachel Schnur:
Thank you, President Muyskens. It is a pleasure for me to be a part of the Queens College family as well. As President Muyskens said I am going to be a senior at Queens College, a biology major, a chemistry minor, and I worked in Dr. Schwartz’ biology lab for the past two and a half years and I am staying there this summer to continue my work with him. As President Muyskens said, the Goldwater Scholarship recognizes students who are doing science research and hope to pursue a career in math, science or engineering. After I graduate, I hope to pursue a Ph.D. in molecular genetics and hopefully do science research professionally, and hopefully in an academic environment because I would also like to possibly teach at a university.

I would also very much like to thank President Muyskens and the Honors and Scholarships Department at Queens College for all their help with this, it was an intense application process. So the Honors and Scholarships Department really deserves a thank you. Thank you very much.

Chairman Schmidt stated that we also have with us this afternoon Brooklyn College and Honors Program junior Ryan Merola who won a $30,000 Truman Scholarship to attend graduate school. May I call on President Christoph Kimmich to introduce Mr. Merola.
Statement of President Christoph Kimmich:
Mr. Chairman, Chancellor Goldstein, members of the Board, fellow presidents, I take great pleasure in introducing Ryan Merola to you. In fact, I am not sure that Ryan needs an introduction, but I do want you to know that Ryan is a third generation Brooklyn College student, a junior majoring in political science and philosophy with abiding interests in public service.

He has served as an intern in the Offices of Senator Schumer and Congressman Towns; he is a member of the Brooklyn College Student Government and of the University Student Senate. He is very well qualified also because of his strong academic record to be chosen this year as a Truman scholar, one of seventy-five in the country, and one of two in New York State.

He has a big future ahead of him and we can all say we knew him when. Ryan is a student at Brooklyn College and a member of the University community and we can all be duly proud of him.

Statement of Ryan Merola:
Thank you, very much, President Kimmich. I was going to say this at the end, but President Kimmich, I thank you for the introduction. This was the man who made sure that every student coming into Brooklyn College, not just honor students and Honors College students, but every single undergraduate and part-time graduate student knew that the full resources of the college are there for them if they wanted to do something similar to this as well. If ever I go on to another university, I would hope to convince you to oust that president and come with me and be the president of that university too.

I have had the distinct privilege of serving as a member of the Fiscal Affairs Committee of the Board of Trustees and agreeing with and arguing and debating and discussing so many points over the past two years, that just to sit here right now is extremely joyful knowing that I won’t have to argue anything, nor is there a fiscal presentation on the table today that I need to worry about what is going to happen the next day to it.

I would like to say to a few people here, especially to President Kimmich and Trustee Carlos Sierra who is sitting next to President Kimmich, one of the most principled student government leaders I have had the pleasure of knowing and so far the one I would choose over and over again if I had to. Thank you, Vice Chancellor Dobrin and Vice Chancellor Hershenson for being there and advising me and answering my questions and Vice Chancellor Botman as well for giving me the chance to really participate in a substantive way in certain issues like the online degree program this year. This is part of what helped bring me to this place. As well, Dean Harry Franklin, who I am glad we did congratulate for his work; he helped me and got me through the University Student Senate. It wouldn’t have been possible without all the assistance and the advice and guidance that I received from almost everyone here and for that I just have to say thank you, and thank you for giving me the chance to come before you today.

Chairman Schmidt stated that although Mary Lu Bilek is certainly not leaving CUNY, at least we certainly hope not, this is her final Board meeting as our Interim Dean of the CUNY Law School, so we want to say Dean Bilek, thanks to you for serving as Interim Dean and we look forward to your continued service.

I am pleased to recognize Trustee Rita DiMartino and congratulate her for receiving a “Lifetime Achievement Award” from the Cuban American National Council at their 13th National Conference in New York. Congratulations, Trustee DiMartino.

Chairman Schmidt stated that he would also like to congratulate Trustee Kathleen Pesile who will receive an honorary doctorate from the Universidad Ricardo Palma in Peru in recognition of her work in higher education for women in finance and international business. Congratulations.

I would like to also recognize that Dr. Susan O’Malley has recently been appointed to the International Federation of Business and Professional Women, a non-governmental organization affiliated with the United Nations, where she will serve as their representative at UNICEF. Congratulations.
Chairman Schmidt stated that he is pleased to report that the Board held its Bronx Borough hearing on Monday, June 19, 2006 at the Bronx Overall Economic Development Corporation premises. I want to thank Trustee Rita DiMartino for chairing that hearing and Trustees Hugo Morales and Carlos Sierra, Chancellor Goldstein, members of the chancellery and the Bronx CUNY College presidents for attending. The testimony presented has been circulated to the Trustees and a transcript is available in the Office of the Secretary.

Finally, I have the sad duty to inform you of the death of Dr. Ordway Tead, who served as Chairman of the Board of Higher Education, which is the predecessor entity to our Board, from 1938 to 1953.

B. FACULTY HONORS: Chairman Schmidt called on Trustee Rita DiMartino, who announced the following:

1. The Social Personality Psychology subprogram at The Graduate Center was awarded the 2006 Suinn Minority Achievement Award from the American Psychological Association for excellence in the recruitment, retention and graduation of ethnic minority students. Congratulations!

2. Distinguished Professor of Psychology Emeritus Edwin P. Hollander at Baruch College will receive the International Association of Applied Psychology Award for Distinguished Scientific Contributions to the Field at its 36th Congress in Athens next month. Congratulations!

3. Adjunct Professor of French and English at The Graduate Center, and former Hunter College President Paul LeClerc and Distinguished Professor of English at The Graduate Center Eve Kosofsky Sedgwick were recently elected as members of the American Philosophical Society. Congratulations!

4. CUNY School of Law Professor Julie Goldschied was recently appointed to the American Bar Association Commission on Domestic Violence. Congratulations!

5. Bronx Community College Department of Communication Arts and Sciences chairperson Debra Gonsher Vinik won a 2006 Emmy Award for best religious programming for producing and The Gates Opened: Women in the Rabbinate. Congratulations!

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

1. Graduate Center art history students Emily Pugh and Claire Orenduff-Bartos have been awarded Fulbright Fellowships for dissertation research. Also, Graduate Center anthropology doctoral student Janette Yarwood was awarded a Fulbright-Hays Dissertation Fellowship for 2006-2007. Congratulations!

2. LaGuardia Community College student Yeshey Pelzom is one of 38 students nationally to receive a $30,000 per year Jack Kent Cooke transfer scholarship. She is the first woman asylum seeker from Bhutan to attend College. Congratulations!

3. Hunter College sophomore Meredith Meagher was one of 15 students selected from more than 300 undergraduate applicants nationwide to be named a 2006 Gilder Lehman History Scholar. Congratulations!

4. City College senior, English major and Honors College student Deborah M. Wolf was one of 25 recipients selected from a nationwide pool of over 700 recipients who was awarded a Jacob K. Javits Fellowship by the U.S. Department of Education. She will be attending Yale University. Congratulations!

5. Queens College freshman Lauren Taleman was awarded the David L. Boren Undergraduate Scholarship, and will spend the summer in Egypt. Congratulations!

6. Bronx Community College alumni Walter Garaicoa recently won his third Emmy as Best Editor of an Entertainment Series for the show series “Secrets of New York”. City College M.F.A. student Carmen Vidal was selected as a national finalist for the 2006 Student Academy Awards for her short film, “6 AM”. Congratulations!
D. **GRANTS:** Chairman Schmidt presented for inclusion in the record the following list of grants and bequests of $100,000 or above received by the University subsequent to the April 24, 2006 Board meeting.

1. Grants of $100,000 or above received since the last Board meeting:

**BARUCH COLLEGE**

A. **$2,000,000** THE STARR FOUNDATION for “Career Preparation Services.”

B. **$264,684** UNITED STATES DEPARTMENT OF COMMERCE-ECONOMIC DEVELOPMENT ADMINISTRATION to Hyson, R., for “New York Census Research Data Center.”

C. **$150,000** MRS. GILES WHITING FOUNDATION for “Whiting Teaching Award in the Humanities-Funds Research and Scholarship of Excellent Junior Weissman School Faculty.”

D. **$125,250** NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE to Immerwahr, S., for “NYC Community Health Survey.”

**BROOKLYN COLLEGE**

A. **$335,453** NATIONAL INSTITUTES OF HEALTH to Raphan, T., CIS, for “Vestibular Mechanism in the Dynamics of Locomotion.”

B. **$323,297** NATIONAL INSTITUTES OF HEALTH to Hainline, L., Psychology, for “Gatekeepers and Roadblocks: Increasing URM Student Success.”

C. **$261,459** NATIONAL INSTITUTES OF HEALTH to Raphan, T., CIS, for “Multidimensional Dynamic of the Vestibule Ocular.”

**CITY COLLEGE**

A. **$2,364,027** NATIONAL INSTITUTES OF HEALTH to Hubbard, K., for “MBRS SCORE Program at City College of CUNY.”

B. **$750,000** NASA to Alfano, R., for “University Research Center for Optical Sensing and Imaging of the Earth and Environment (COSI).”

C. **$749,916** NYC DEP to Fillos, J., for “Nitrogen Technical Advisory Committee.”

D. **$679,990** NATIONAL SCIENCE FOUNDATION to Steinberg, R. and Raia, F., for “CLUSTER: Investigating a New Model Partnership for Teaching Preparation, w/ Graduate Ctr.”

E. **$319,562** NATIONAL INSTITUTES OF HEALTH to Li, C., for “Function of Neuropeptide Gene Family in C. Elegans.”

F. **$308,819** NATIONAL INSTITUTES OF HEALTH to Weinbaum, S., for “Cytoskeletal Strain Amplification due to Bone Fluid Flow.”

G. **$181,581** NATIONAL INSTITUTES OF HEALTH to Ryan, K., for “New Coding Vectors for microRNA and siRNA.”

H. **$179,576** NATIONAL SCIENCE FOUNDATION to Gunner, M., for “Importance of Buried Charges in Protein.”

I. **$149,405** NATIONAL INSTITUTES OF HEALTH to Vazquez, M., for “Microsystems to Manipulate Fibroblast Chemotaxis.”

J. **$148,457** SUNG IL CO to Lee, J., for “Novel Techniques for Natural Gas/H2 Storage and C02 Separation Using Hydrate Formation.”
K. $148,351 IRIS to Wang, H., for “Influence of S24795 on AB42a7 High Affinity Interaction, AB42-Induced Tau Phosphorvlation and Intraneuronal Accumulation of AB-42.”

L. $147,000 NATIONAL SCIENCE FOUNDATION to Meriles, C., for “CAREER: Long-range Dipolar Fields as a Tool for Nuclear Magnetic Resonance Microscopy.”

M. $135,000 COLUMBIA UNIVERSITY to Akins, D., for “Columbia Center for Electronic Transport in Molecular Nanostructures.”

N. $131,567 NATIONAL SCIENCE FOUNDATION to Xiao, J., Zhu, Z., and Wolberg, G., for “CRI: Center for Perceptual Robotics, Intelligent Sensors and Machines (PRISM) at the City College of New York.”

O. $125,000 FLORIDA A&M to Khanbilvardi, R., for “ECSC Chesapeake Measurements Campaign.”

P. $115,133 NATIONAL SCIENCE FOUNDATION to Ubarretxena-Belandia, I., for “CAREER: Biochemical and Structural Characterization of Intramembrane Proteases.”

Q. $100,000 ARO to Potasek, M. and Dorsinville, R., for “Hybrid Semiconductor-Organic Nanostructures for Optical Limiting.”

GRADUATE SCHOOL AND UNIVERSITY CENTER

A. $255,276 HOFSTRA UNIVERSITY to Flugman, B. and Hecht, D., for “Evaluation of the Mathematics, Science, and Technology Partnership Project.”

B. $227,500 NATIONAL INSTITUTES OF HEALTH to Schwartz, R., for “Real-time Examination of Childhood Language Impairment.” [Increase]

C. $217,747 NEW YORK STATE DEPARTMENT OF MENTAL HEALTH to Flugman, B., for “NYS Office of Mental Health, Safety, and Security Enhancement Initiative Phase 3B.”

D. $190,000 W.K. KELLOGG FOUNDATION to McCarthy, K., for “Emerging Leaders and Senior Fellows Components of the International Fellows Program.”

HUNTER COLLEGE

A. $660,053 PHS/NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES to Lipke, P., for “Minority Access to Research Careers Program (MARC).”

B. $546,086 PHS/NATIONAL INSTITUTE ON DRUG ABUSE to Parsons, J., for “Risk Reduction Intervention for Highly Vulnerable Emerging Adult Males.”

C. $314,591 NEW YORK CITY DEPARTMENT OF EDUCATION for “Mathematics Center for Learning and Teaching – with NYC Department of Education Region 4.”

D. $313,091 PHS/NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS & STROKE to Filbin, M., for “Role of Myelin in Spinal Cord Regeneration.”

E. $309,352 PHS/HEALTH RESOURCES AND SERVICES ADMINISTRATION to Degazon, C., for “Becoming Excellent Students in Transition (BEST) to Nursing.”

F. $228,264 PHS/NATIONAL INSTITUTE OF MENTAL HEALTH to Quiñones-Jenab, V., for “Careers Opportunities in Research.”

G. $225,917 PHS/NATIONAL CANCER INSTITUTE to Tomasz, M., for “Adducts of Mitomycin C with Nucleotides.”

H. $210,000 WINIFRED MASTERSON BURKE MEDICAL RESEARCH INSTITUTE to Filbin, M., for “Drug Screen/Glial Inhibition.”
I. $180,000 NEW YORK CITY DEPARTMENT OF EDUCATION for “Mathematics and Science Partnership Program with NYC Department of Education Region 7.”

J. $137,034 NATIONAL SECURITY AGENCY to Cohen, L., for “Time Frequency/Scale Signal Analysis.”

K. $122,100 NYS OFFICE OF CHILDREN & FAMILIES to Papa, Z. C., for “Child Care and Development Block Grant.”

L. $100,000 NEW YORK CITY DEPARTMENT OF JUVENILE JUSTICE to Krauss, B., for “Sister Link Project.”

JOHN JAY COLLEGE

A. $125,000 THE CLARK FOUNDATION to Mukamal, D., Prisoner Reentry Institute, for “College Initiative, A Direct Service Project within the Prisoner Reentry Institute to Connect Formerly Incarcerated People to College Opportunities.”

LAGUARDIA COMMUNITY COLLEGE

A. $1,782,411 BILL AND MELINDA GATES FOUNDATION for “Middle College High School Consortium Gates Early College Initiative.”

B. $207,700 NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY SERVICES for “YEP/In-School Youth.”

C. $168,480 NEW YORK STATE DEPARTMENT OF LABOR for “Displaced Homemaker Program.”

D. $150,000 UNITED STATES DEPARTMENT OF EDUCATION for “Limited English Proficiency and Hispanic Worker Initiative for the Retail Industry of NYC (Coll. With BMCC).”

E. $105,796 NEW YORK STATE DEPARTMENT OF LABOR for “Jobs for Youth.”

F. $100,000 NATIONAL SCIENCE FOUNDATION for “LaGuardia CSEMS Scholars.”

G. $100,000 NEW YORK CITY COUNCIL/NYC DYCD for “Center of Immigrant Education.”

H. $100,000 FORD FOUNDATION for “Difficult Dialogues.”

LEHMAN COLLEGE

A. $600,000 UNITED STATES DEPARTMENT OF EDUCATION to Kreuzer, P., for “Title V – Developing Hispanic Serving Institutions.”

B. $333,354 NEW YORK CITY DEPARTMENT OF EDUCATION to Wolfe, M., for “System-wide Literacy Professional Development.”

C. $318,850 NEW YORK CITY DEPARTMENT OF EDUCATION to Wolfe, M., for “New York City Mathematics Project.”

D. $145,575 NEW VISIONS FOR PUBLIC SCHOOLS to Gottlieb, M., for “Bronx High School of Music.”

E. $122,200 NEW VISIONS FOR PUBLIC SCHOOLS to Gottlieb, M., for “Bronx High School of Music.”

F. $115,055 HOSPITAL LEAGUE, LOCAL 1199 to Paull, M., for “Lehman College MSN Program.”

NEW YORK CITY COLLEGE OF TECHNOLOGY

A. $191,250 NEW YORK CITY HEALTH & HOSPITAL CORPORATION to Ayala, V., for “Career Ladder Program.”
B. $180,000 NEW YORK STATE DEPARTMENT OF EDUCATION to Silverman, L., for “TechPrep.”
C. $162,260 UNITED STATES DEPARTMENT OF EDUCATION to Maldonado, E. and Jones, Y., for “Adjunct Academy at City Tech.”
D. $149,795 NATIONAL SCIENCE FOUNDATION to Blank, S., for “An SRL Performance.”

QUEENS COLLEGE

A. $140,000 NATIONAL SCIENCE FOUNDATION to Gafney, H., the Chemistry and Biochemistry Department, for “The Photocatalyzed Conversion of Carbon Dioxide to Methane with Visible Light: Assembly of Multicomponent Sites in Porous Silica Matrices.”
B. $100,000 FORD FOUNDATION to Rosenblum, M., the Michael Harrington Center, for “The Middle East and America: A Clash of Civilizations or Meeting of the Minds.”

QUEENSBOROUGH COMMUNITY COLLEGE

A. $500,000 MDRC to McColloch, M., for “Opening Doors at Queensborough Community College.”

COLLEGE OF STATEN ISLAND

A. $107,130 NEW YORK STATE SPINAL CORD INJURY BOARD to Knikou, M., for “Sensorimotor Control of Spinal Locomotor Centers in Human Spinal Cord Injuries.”

YORK COLLEGE

A. $630,000 UNITED WAY OF NEW YORK CITY to Ali, K., for “New York City Council Workforce Development Initiative.”
B. $335,000 BILL AND MELINDA GATES FOUNDATION to Weil, E., for “CUNY Early College Initiative.”
C. $253,920 UNITED STATES SMALL BUSINESS ADMINISTRATION to Titone, A., for “The New York State Small Business Development Center.”

2. Bequests of $100,000 or above received since the last Board meeting:

HUNTER COLLEGE

A. $182,601.85 THE ESTATE OF EDITH BALF for establishing the Edith Balf History Scholarship Fund.
B. $143,115.90 THE MARGARET JOURDAN REVOCABLE TRUST for scholarship funds.

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

Thank you, Mr. Chairman. First and foremost let me congratulate you on behalf of the entire CUNY community and the city and state of our great nation on your reappointment by the Governor. Nobody can be more pleased than I am. So many of us have gotten accolades over the past few years. Let me just invoke a mathematical term, point of privilege, saying that the typology of the University has changed and I think that is right, but let us not forget, Mr. Chairman, that you wrote the playbook with your report that really served as the foundation for so much of what we see has happened in the University. So my congratulations to you.

I also would like to acknowledge Trustee Freida Foster-Tolbert. She and I had a warm and intense conversation last week after her confirmation. It is wonderful to see you and we look forward to working with you and Prof. Manfred Philipp whom I have known for several years, a man of great integrity and intellect. It is wonderful to have you on the Board as well.
Certainly I underscore what Chairman Schmidt said about Trustee Philip Berry, who, as he said, is no stranger to the very good work of the University, and we look forward to his continuing in this new capacity. Let me thank all of the Trustees, the presidents and especially our extraordinary faculty from around the University for the very good work that they have done over a sustained period of time, resulting in almost 34,000 students getting their degrees this past May and June. It is a high point in our recent history, Mr. Chairman. I am told that we have not seen this level of graduating students in over thirty years. So it is a tribute to everybody in the University who has worked with these students and we couldn’t be more pleased.

While commencements begin a phase and also end a phase, we are going to be busy throughout the summer—the central administration—certainly with the presidents as we do the performance management process. This is a very intense three week process where we will set goals and objectives and the metrics to see if those goals and objectives are realized on a go forward basis and also to assess where we have begun when we started this process several years ago. We will start in about a week and a half.

I would like to take just a moment to review with the Board where we are on the State adopted budget and say something about the City budget and where we see us going on a forward basis. The 2007 State adopted budget totals a little under $1.450 billion dollars. This represents about an $83.5 million dollar increase over the current fiscal year. That is probably the most significant infusion of operating dollars that this University has seen, I would venture to say, Mr. Chairman, in many decades.

The proposed funding for the senior colleges fully funds the CUNY Compact and will enable the University to implement the investment programs outlined by the colleges in the University's budget request. Let me give you some of the highlights of that adopted budget for the senior colleges. There is a $16.1 million additional operating level of support that was recommended in the Governor’s executive budget and now is a part of our operating budget going forward. $21.7 million of additional operating support was added by the State legislature and the remaining $45.7 million, which was targeted for a $300 per FTE tuition charge, and was assumed by the legislature, will give us the $83 million that I just indicated.

In addition, we have about $42.9 million for mandatory increases over the 2005-2006 adjusted base levels. We are looking at an increase in this adopted budget of $175 per FTE for our community college students, bringing the FTE count per student to $2,525. This results in an additional base aid of about $11 million.

The City budget is still a work in progress. We expect a budget very soon. The Mayor and the City Council obviously are in very intense discussions as we speak. We expect to see a final resolution on a budget that would be adopted by the latter part of this week.

I want the record, Mr. Chairman, to reflect the very strong work by one member of the administration, John Kotowski, who is our man on the ground at City Hall. I have worked with many people in that capacity, but I have never seen anybody so focused and indefatigable as John Kotowski. I don’t know what the result of our very intense work with the Council and the Mayor is going to be but I have great expectations that we will see increases in our budget and certainly getting some of the funds restored that were redlined in the Mayor’s proposed preliminary budget. So thank you, John Kotowski—I would love to see him here, but he is at City Hall as we speak and doing great work on behalf of all of us.

As Chairman Schmidt has indicated, we will be going into Executive Session in part for the Board to take up my recommendation on the approval of the collective bargaining agreement that we have initialed. However, independent of what the Board does, I do want to happily indicate that the pay bill will unleash a cascading of dollars for our faculty and support staff and others. Authorizing the financing of this agreement was approved last week by the Assembly and the Senate with the support of the Governor. We are hopeful that that is moving a long just as we expected it would be.

I would like to thank Executive Vice Chancellor Selma Botman and Presidents Ricardo Fernandez, Carolyn Williams and Russell Hotzler for testifying earlier today before the New York City Council of Higher Education Committee on the subject of transferability among and between the campuses of this University. I would like the
record to read, Mr. Chairman, that our new Vice Chancellor of Student Affairs, Garrie Moore, was there working before he actually came to the Board today. So thank you, Garrie, for your work in that regard.

I would also like to thank President Russell Hotzler, who several years ago started a process which was finished with his very good work as Vice Chancellor, and with the great assistance of Dean Judith Summerfield, in something that I think is quite significant here at the University. We now have an omnibus agreement among all six of our community colleges, with Baruch College creating for the first time an omnibus pathway of students who are studying at our community colleges to finish their work towards their baccalaureate degree in business which is one of the most sought after majors and degrees that we have.

I thought I did mention Vice Chancellor Michael Zavelle. Michael is a shy man, but he does great work. Thank you for that, Michael. But this is a big event for the University. It is part of the whole notion of the integrated University and this, I think, will have a material effect on opening up opportunities for our students at community colleges who wish to finish their degrees in business.

I am delighted to announce that subject to the approval of the Board tonight, Dr. Ann Kirschner will be our new Dean of the CUNY Honors College. This is the result of a national search. Dr. Kirschner is a very distinguished academician. She has a Ph.D. in English literature from Princeton University. Not only is she a great scholar, but she has spent a good part of her career not only teaching in some wonderful universities but also working in the nexus between business, industry and the information sciences and we think she is going to be a wonderful new addition to this young, but already prosperous new institution, the CUNY Honors College.

I am pleased to report that thanks to the outstanding work of Executive Vice Chancellor Selma Botman and President William Kelly, the New York State Education Department has approved a new Doctor of Nursing Science which will be offered at The Graduate Center this fall and the cooperating CUNY colleges in addition to The Graduate Center, are the College of Staten Island, Hunter College and Lehman College. So that’s a wonderful new addition to the inventory of degrees that we have.

I am also delighted, Mr. Chairman and members of the Board, to indicate that we have the first hundred students enrolled in the brand new Teacher Academy, the brainchild of Executive Vice Chancellor Selma Botman, which will be beginning this fall. The collaborating campuses are City College, Hunter College, Brooklyn College, Queens College, the College of Staten Island, Lehman College and York College.

I am also delighted that we have our first class of the brand new Graduate School of Journalism. When I asked Dean Stephen Shepard to join this University as our new Dean of the Graduate School of Journalism, the two of us agreed on a set of principles. The one overriding principle is that we both wanted to aim high, that it really made no sense to me and it made no sense to this new Dean that unless we do this in a very distinguished way, why do it at all.

Well, in a very short period of time we will be moving into the new headquarters that will house the Graduate School of Journalism. Our business plan called for 50 students initially, then expand to about 150 students. However, as a result of overwhelming demand from top students applying from some of the most elite universities in the United States, Dean Shepard decided to increase initial cap to 62, Mr. Chairman. When you look at where these students are coming from, their GRE scores and the grade point averages, it is clear we have attracted an absolutely stellar group of students. I thank you, Dean Shepard, for that very good work.

We are moving ahead in our commitment that 2005 through 2015, it is going to be “the Decade of Science.” When you look at some of the data about who is going into math and science at our University, and the universities across the United States, the data are very sobering. We are deeply committed to a reformation. Certainly our commitment is beyond rhetoric: there is going to be a huge investment, especially on the capital side. We expect over the next six or seven years to invest over a billion dollars in new capital construction and rehabilitation among many of our campuses, with new science facilities. It is something that we just need to do.
The external panel that we have brought in to help us rethink how we finance our doctoral programs in the laboratory sciences came forward with what I thought was a very fine report and much of the budget requests that the Board will be entertaining in November will see some of the reflection of the needs that we have and hopefully with iteration 2 of the CUNY Compact, we will be successful in getting some of the resources that we need to really address the serious issues that confront not only this University but so many other universities about the kind of investments that we need in science education throughout this University and others.

I am pleased to announce that the Invest in CUNY Campaign has well exceeded the $750 million mark. We are about two to three years ahead of schedule on our, what now looks like, modest goal of $1.2 billion which we certainly will make very significantly. Chairman Schmidt and I made presentations to the presidents of the various college foundations on May 11th, which is the beginning of a new University-wide effort to work more closely with business and community leaders that are helping CUNY colleges throughout this important work.

I would like to congratulate President Regina Peruggi on receiving the “Woman of Distinction” award from the New York State Senate at their meeting on June 20th. Congratulations, Regina, for that wonderful honor. I would like to congratulate President Gregory Williams of City College for receiving the Austrian Cross of Honor for Science and Art at a ceremony held in Vienna in late April. I would like to congratulate President Gail Mellow on being honored by the New York Industrial Retention Network. I would like to commend President Marcia Keizs for her appointment to the NCAA Division III President’s Council. Congratulations to all of you.

I would like to bring to your attention the new brochure summarizing the media coverage of our Citizenship Now partnership with the New York Daily News, which is included in your materials. You have heard me commend this gentleman before, but on this initiative he really needs a special commendation—that is our very distinguished Vice Chancellor and Secretary to this Board Jay Hershenson—on his vision and outstanding work on this important initiative. So thank you, Jay, for that continuing work.

Lastly, Mr. Chairman, as all of you know tonight’s meeting is being aired live on CUNY-TV which operates 24 hours a day, seven days a week. CUNY-TV has developed over the past seven years an extraordinary range of television programming thanks to the energy, vision and indefatigableness of not only Secretary and Vice Chancellor Jay Hershenson but also CUNY-TV Director Bob Isaacson. Bob do you want to just raise your hand so we can thank you. They deserve bragging rights and the best way to demonstrate bragging rights is not in words but in images. So I am told that we have a six or seven-minute video, which has been prepared for us, highlighting some of what has been going on at CUNY-TV.

**(CUNY-TV VIDEO PLAYED ON LARGE SCREEN MONITOR)**

Chairman Schmidt stated that we have had our moments of frustration in the seven years that I have been in this chair with the budget process. I think we should take note when the University gets its best operating budget and its best capital budget in over three decades and the numbers are abstract. This is several hundred new faculty, a $1 billion plus investment in our science programs, and improving our student support in ways that is going to bring even more able and extraordinary students into CUNY.

We should take note of our good fortune when we have the opportunity here. I think it is a tribute to you, Mr. Chancellor, and your colleagues and the presidents and the faculty who have really taken the reputation of this great University and elevated it very significantly. It is not that common or easy a thing to see.

I want to thank Trustee Morales for many things, but among them his help for Nueva York, as he has helped CUNY-TV get that wonderful program off the ground.

Statement of Trustee Hugo M. Morales:
Mr. Chairman, I would like to, first of all, congratulate you for being reappointed to the Board. I would also like to welcome and congratulate the two new CUNY Trustees, Philip Berry and Freida Foster-Tolbert. Chairman Schmidt, because of your leadership and our Chancellor we have established CUNY’s reputation.
I am pleased to report that I participated in the college commencement ceremonies at the Borough of Manhattan Community College, Queensborough Community College and Hostos Community College and I want to congratulate President Antonio Perez, President Eduardo Marti and President Dolores Fernandez.

This afternoon at a reception at Hostos Community College, I was joined by Trustee Sierra, President Dolores Fernandez and the Honorable Dennis Simó Torres, Chancellor of UNAPEC, a private university in the Dominican Republic. Chancellor Simó Torres traveled from the Dominican Republic to participate in a special reception in his honor and to sign the first student exchange agreement between Hostos Community College and UNAPEC. I feel that this will be very helpful for CUNY.

Mr. Chairman, as you know, I had reported to the Board that Hostos has established itself as a strong leader in exchange programs. This week, I will join President Fernandez, and members of her staff including Sandra Ruiz, Ana García Reyes, Néstor Montilla and CUNY faculty members to lead a delegation of approximately 50 public school teachers, school administrators, CUNY students, CUNY officers, elected officials and community leaders, who will travel to the Dominican Republic to participate in the Hostos summer study abroad program.

I am glad that Trustee DiMartino and Trustee Sierra will join us this time as well. As part of the agenda, we will sign another exchange agreement, actually a renewal agreement between Hostos Community College and La Universidad Autónoma de Santo Domingo.

I would like to conclude by mentioning a special event that I participated in last month. On May 12th and 13th Hostos Community College held the first major international interdisciplinary conference on Dominican studies. I would like to acknowledge the fact that it was coordinated by a team of people and led by Provost and Vice President Daisy Cocco de Filippis and supported by President Dolores Fernandez.

Mr. Chairman, I am delighted to report that the conference was a total success. All of the institutions represented included, but were not limited to, faculty members from a number of campuses of The City University of New York, CUNY Dominican Studies Institute at City College, Harvard University, Syracuse University, Howard University, Brown University, Bloomfield College, the University of Chicago, and the Universidad Autónoma de Santo Domingo.

I also personally participated in the groundbreaking ceremony for a new building at John Jay College on June 17th. It is a pleasure to congratulate President Travis for this special occasion. I want to tell you President Travis that what you are doing there for the Dominican Republic and for the Police Department is that you are saving lives and for that I really congratulate you.

I would be remiss if I don’t mention the immigration work that CUNY is doing under the leadership of Secretary and Vice Chancellor Jay Hershenson. I just received a letter from Governor Pataki, advising us and inviting us to participate in an immigration fair that will take place in July in Long Island. Jay and I will be there. As you know, very recently we had 800 people who took their citizenship oaths for the first time at Hostos Community College. His work is wonderful, and for the immigration population Jay, I want to thank you.

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 through 10)

NO. 1. UNIVERSITY REPORT: RESOLVED, That the University Report for June 26, 2006 (including Addendum and Errata Items) be approved:
NO. 2. CHANCELLOR’S REPORT: RESOLVED, That the Chancellor’s Report for June 26, 2006 (including Addendum, Errata, and Table Items) be approved:

C.III. TRUSTS AND GIFTS, GRANTS ADMINISTERED BY THE RESEARCH FOUNDATION AND GRANTS NOT ADMINISTERED BY THE RESEARCH FOUNDATION UNDER $500,000.

21.1. GRADUATE SCHOOL OF JOURNALISM - ACCEPTANCE OF GIFT FROM CONNIE CHUNG AND MAURY POVICH:

RESOLVED, That the Board of Trustees of The City University of New York, on behalf of the Graduate School of Journalism, accept a gift of Two Hundred Fifty Thousand ($250,000.00) Dollars (and any future contributions) from Connie Chung and Maury Povich to establish a scholarship fund to be known as the “Connie Chung and Maury Povich Scholarship Fund” for students with demonstrated financial need. Recipients will be known as “Connie Chung/Maury Povich Scholars”. The General Counsel is authorized to sign any additional documents necessary to effectuate the gift.

EXPLANATION: Broadcast journalists and television personalities Connie Chung and Maury Povich will contribute $50,000.00 each year for five (5) years beginning in June 2006 for a total gift of $250,000.00. The money will not be used to create an endowed fund but will be fully awarded each year in scholarships covering tuition, fees, Summer internships and/or living expenses. Scholarship recipients must have a financial need but preference may be given to students with a demonstrated commitment to increasing diversity in the field of journalism and those who reside in the New York Metropolitan area, particularly New York City. At least one scholarship per year will be awarded to a graduate of a CUNY senior college.

21.2. GRADUATE SCHOOL OF JOURNALISM - ACCEPTANCE OF GIFT FROM HIMAN BROWN:

RESOLVED, That the Board of Trustees of The City University of New York, on behalf of the Graduate School of Journalism, accept a gift of Three Hundred Ninety-Five Thousand ($395,000.00) Dollars (and any future contributions) from Himan Brown to establish a scholarship fund to be known as the “Himan Brown Scholarship Fund” for students interested in broadcast journalism, particularly radio journalism. The General Counsel is authorized to sign any additional documents necessary to effectuate the gift.

EXPLANATION: Himan Brown, a pioneer in the field of radio broadcast, is currently a member of the Board of Directors of CUNY-TV. The gift is not an endowment. Scholarships will be awarded to several students each year to cover tuition and fees and/or to provide stipends for Summer internships.

21.3. GRADUATE SCHOOL OF JOURNALISM - ACCEPTANCE OF IRVING ROSENTHAL GIFT:

RESOLVED, That the Board of Trustees of The City University of New York, on behalf of the Graduate School of Journalism, accept a gift of One Hundred Fifteen Thousand ($115,000.00) Dollars (and any future contributions) from Ruth Rosenthal, Risa Finkel, Robert Rosenthal and David Rosenthal (wife and children) and friends of Irving Rosenthal, to establish an endowed scholarship fund to be known as the “Irving Rosenthal Scholarship Fund”. The General Counsel is authorized to sign any additional documents necessary to effectuate the gift.

EXPLANATION: Irving Rosenthal, a graduate of City College, had a distinguished teaching career at City College for more than 40 years and was known as the “one man journalism department”. It is anticipated that future contributions from family and friends will increase the Scholarship Fund to at least $150,000.00. The gift will be invested and earnings and earnings generated will be made available for annual scholarships and Summer internship stipends.

21.4. GRADUATE SCHOOL OF JOURNALISM - ACCEPTANCE OF GIFT FROM JOYCE BARNATHAN:

RESOLVED, That the Board of Trustees of The City University of New York, on behalf of the Graduate School of Journalism, accept a gift of Two Hundred Thousand ($200,000.00) Dollars (and any future contributions) from Joyce Barnathan to establish a scholarship fund for deserving and needy students in honor of her father, Julius Barnathan,
to be known as the “Julius Barnathan Scholarship Fund”. The General Counsel is authorized to sign any additional documents necessary to effectuate the gift.

EXPLANATION: The late Julius Barnathan, of ABC News, is known as an innovator and is credited with inventing closed captioning for television. Fifteen Thousand ($15,000.00) of the gift will not be placed in the endowment fund, but will be used to provide at least 2 scholarships for students entering the Graduate School of Journalism in the Fall of 2006. However, the endowed portion of the gift will be invested and the earnings generated will be made available for annual scholarships and internships for students in need of financial assistance. Recipients will be known as “Julius Barnathan Scholars”. Joyce Barnathan has agreed to use her best efforts to increase the Scholarship Fund to $250,000.00 over the next 5 years. An appropriate plaque will be installed at the Graduate School of Journalism in Julius Barnathan’s honor.

21.5. GRADUATE SCHOOL OF JOURNALISM - ACCEPTANCE OF DANIEL SCHOR GIFT:

RESOLVED, That the Board of Trustees of The City University of New York, on behalf of the Graduate School of Journalism, accept a gift of Fifty Two Thousand ($52,000.00) Dollars (and any future contributions) from Lisbeth Schorr, Lisa Schorr and Jonathan Schorr – wife and children of Daniel Schorr - to establish a scholarship fund to be known as the "Daniel Schorr Scholarship Fund". Scholarships will be awarded to deserving and needy students to be known as “Daniel Schorr Scholars”. Fifty Thousand ($50,000.00) Dollars of the gift will be endowed funds. The General Counsel is authorized to sign any additional documents necessary to effectuate the gift.

EXPLANATION: Daniel Schorr, Senior News Analyst for NPR (National Public Radio) News, is a graduate of City College. The gift to the Graduate School of Journalism is a present from Mr. Schorr’s children in honor of his 90th birthday. The gift will be invested in the University’s Investment Pool and the earnings will be made available in annual scholarships for students selected by the Dean and the Admissions Committee. Two Thousand ($2,000.00) of the gift will not be part of the endowed funds but will be made available immediately for scholarship awards.

1.1. CITY COLLEGE - ACCEPTANCE OF GIFT FROM THE ESTATE OF FLORENCE EINSTEIN:

RESOLVED, That the Board of Trustees of The City University of New York, on behalf of The City College, accept a gift of Forty Thousand ($40,000.00) Dollars (and any future contributions) from the Estate of Florence Einstein. The General Counsel is authorized to sign any additional documents necessary to effectuate the gift.

EXPLANATION: Under her Will dated August 1, 1996, Florence Einstein bequeathed $50,000.00 to City College. However, a number of Mrs. Einstein’s relatives objected to the probating of that Will, claiming that Mrs. Einstein was incompetent and had been unduly influenced by the major beneficiary (her accountant). The objectants argued for the reinstatement of an earlier Will under which City College was not named. Pursuant to a court ordered Stipulation of Settlement, City College will receive $40,000. A suitable plaque will be installed at the College in Mrs. Einstein’s honor.

NO. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the regular Board meetings and Executive Session of April 24, 2006 be approved.

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

A. THE CITY UNIVERSITY OF NEW YORK – PRINTING OF BROCHURES, BULLETINS, SCHEDULES, CATALOGS AND GUIDES FOR THE OFFICE OF ADMISSION SERVICES:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute contracts on behalf of the Office of the University Controller to purchase printing services for brochures, bulletins, schedules, catalogs, and guides on behalf of the Office of Admission Services. The contracts shall be awarded to the lowest responsive and responsible bidders after public advertisement and sealed bidding by the Office of the University Controller pursuant to law and University regulations. Such purchases shall not exceed an estimated cost of $900,000 for the initial one-year term, chargeable to FAS Codes 213501438 and 213501439 during
the applicable fiscal year. Each contract shall be for a two-year term with an option for the University to terminate the contract at the end of the first year. Each of the contracts shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The City University of New York will use these brochures, bulletins, schedules, catalogs, and guides in connection with its admissions processes.

B. (TABLE ITEM) CITY COLLEGE - ACCEPTANCE OF GIFT FROM THE WILLIAM B. CONNOR TRUST:

RESOLVED, That the Board of Trustees of The City University of New York, on behalf of The City College, accept a gift from the trust established under the Will of William B. Connor (the “Trust”). The gift will be used for the purpose of establishing “The Therese McCabe Ralston Connor Fund”, in honor of Mr. Connor’s mother, for the support of the Art Department. The first partial distribution by the Trustee of the Trust assets shall be in the amount of Three Million Five Hundred Thousand ($3,500,000.00) Dollars, representing seventy-five (75%) percent of the Trust assets. Future distributions may be accepted on the same terms. The General Counsel is authorized to sign any documents necessary to effectuate the gift; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize the transfer any funds received from the Trust to the City College 21st Century Foundation, to be held, managed, administered, invested and used on behalf of The City College. The transfer shall be pursuant to a written agreement, which the University General Counsel is authorized to sign, with the City College 21st Century Foundation. The agreement shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The Will of William B. Connor established several trust funds on behalf of named family members. After the deaths of the beneficiaries of these trusts, the balance of the principal of the trusts is payable to the Board of Higher Education of the City of New York and its successors on behalf of The City College of New York. All but one of the beneficiaries has died and the Trustee is making a partial distribution of 75% of the funds, amounting to $3,500,000.00. The remaining funds will be distributed upon the death of the surviving beneficiary. The College will use the gift for the purpose of assisting the students of the Art Department. The Office of the General Counsel has reviewed the gift instrument.

The donor, William B. Connor, is an alumnus of City College.

Report of Subcommittee on Audit Chair Marc V. Shaw:
The Subcommittee on Audit met on June 5, 2006 for a presentation by the independent audit firm of KPMG on the University’s 2005 Management Letter, Internal Control Review report, and on the University's A-133 audit. I am pleased to report that there were no matters brought to the subcommittee’s attention that would indicate the presence of a material weakness in the University’s internal controls or in the University’s management of Title IV funds.

Also on that date, the Board’s Subcommittee on Investments met to review the University’s investment portfolio performance and asset allocation. In that meeting the subcommittee agreed that it would begin the process of searching for a new investment consultant to advise the University on the management of the University’s investments.

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

A. CITY COLLEGE – M.A. PROGRAM IN MENTAL HEALTH COUNSELING:

RESOLVED, That the M.A. program in Mental Health Counseling at City College of New York be approved, effective September 2006, subject to financial ability.
EXPLANATION: The purpose of the proposed program is to prepare graduates for careers as licensed mental health counselors, a new licensed profession in New York State. The practice of professional mental health is defined in Article 163, section 8406 of the New York State Education Law as:

a. the evaluation, assessment, amelioration, treatment, modification, or adjustment to a disability, problem, or disorder of behavior, character, development, emotion, personality or relationships by the use of verbal or behavioral methods with individuals, couples, families or groups in private practice, group, or organized settings; and

b. the use of assessment instruments and mental health counseling and psychotherapy to identify, evaluate and treat dysfunctions and disorders for purposes of providing appropriate mental health counseling services.

The curriculum has been designed in accordance with curricular guidelines for the registration of licensure-qualifying programs in mental health counseling set out in section 52.32 of the Regulations of the Commissioner of Education of the State of New York.

Statement of Trustee Hugo M. Morales:
I am in favor of the masters program in Mental Health Counseling. However, I am quite leery when this will not describe the scope of its functioning. I feel that assessment with personality and psychotherapy will be practical and necessary, but we have to be very careful when we use the word treatment. I think that strict treatment guidelines should be studied.

B. QUEENS COLLEGE – M.F.A. IN CREATIVE WRITING:

RESOLVED, That the program in Creative Writing leading to the Master of Fine Arts degree at Queens College be approved, effective September 2006, subject to financial ability.

EXPLANATION: Queens College has long offered a curriculum in creative writing as a track within its M.A. program in English. The College proposes to replace the current track with a separately registered program in creative writing leading to the award of the M.F.A., which is the terminal degree in this field. The curriculum features a track in translation, which draws upon the College’s excellent literature faculty with specialties in the literatures of a number of languages other than English. By offering a program with an expanded curriculum appropriate to its terminal degree, Queens College will ensure that its students obtain competitive credentials and the most appropriate education for professional success.

C. COLLEGE OF STATEN ISLAND – ESTABLISHMENT OF A DEPARTMENT OF PHYSICAL THERAPY:

RESOLVED, That a Department of Physical Therapy be established at the College of Staten Island, effective September 1, 2006.

EXPLANATION: Pursuant to a thorough review and with the agreement of the faculty involved, the College of Staten Island proposes to establish a Department of Physical Therapy. The purpose of this action is to provide the necessary organizational structure that will promote faculty collaboration to enhance instruction in the expanding offerings in Physical Therapy at the College.

The need for an independent department emerges from the programmatic and research needs of the faculty that are increasingly distinct from that of the Department of Biology. The College of Staten Island long offered a BS/MS program in Physical Therapy. In recognition of the changing standards and expectations in Physical Therapy, there is now a national trend toward offering professional education in this field at the doctoral level. Accordingly, the College now offers a Doctor of Physical Therapy program jointly with Hunter College and the Graduate School and University Center. In addition, new appointments to the faculty are pursuing more rigorous research agendas. The College believes that it is now in the best interests of several disciplines to establish a separate Department of Physical Therapy.
This action follows consultation with the affected faculty and with the Faculty Senate and is strongly endorsed by the College Administration.

A separate resolution has been submitted to the Board of Trustees via the University Report Addendum regarding the transfer and appointment of personnel. Contingent upon the approval of the Board of Trustees, designated faculty members (5) will be transferred from the Department of Biology and appointed to the new Department of Physical Therapy, effective September 1, 2006.

D. CITY COLLEGE – ESTABLISHMENT OF THE DIVISION OF WORKER EDUCATION AND THE DEPARTMENT OF INTERDISCIPLINARY ARTS AND SCIENCES:

RESOLVED, That effective September 1, 2006, the Center for Worker Education become an academic division within the College of Liberal Arts and Science at the City College of New York; and

RESOLVED, That effective September 1, 2006, the Department of Interdisciplinary Arts and Sciences be established within the division of the Center for Worker Education.

EXPLANATION: The Center for Worker Education, CWE, was founded in 1981 and has since graduated almost 2500 students from the BA and BS programs in Interdisciplinary Liberal Arts and Sciences which are offered exclusively at the Center. Under the current configuration, CWE faculty belong to academic departments within City College’s College of Liberal Arts and Sciences. Although faculty who teach at CWE do not teach or serve at the same location or in the same programs as their fellow department members, they are nevertheless evaluated by them for tenure and promotion. It is now proposed that CWE become a division of CLAS. This change will help insure its future stability, academic quality and growth. The most important result of becoming a division within CLAS is that CWE’s faculty will be able to be directly appointed where they serve and teach. CWE has had an average enrollment of 800 students in the past five years, and its students have constituted approximately 20% of the College of Liberal Arts and Sciences’ bachelor’s degree graduates. Having votes in the Faculty Council of CLAS and on the Review Committee are also important consequences of this change in status.

The new division will have a single Department of Interdisciplinary Arts and Sciences, named for the degree it awards. The structure of the division and department, as defined by the Bylaws accompanying this proposal, resemble the CUNY School of Architecture at City College which also has a single department. The proposed Bylaws conform to the CUNY Bylaws and the City College Governance Plan and follow the standard format for Bylaws in CUNY institutions.

Approved by the Faculty Council of CLAS: February 3, 2005.

E. KINGSBOROUGH COMMUNITY COLLEGE – ABOLISHMENT OF THE DEPARTMENT OF OFFICE ADMINISTRATION AND TECHNOLOGY:

RESOLVED, That the Department of Office Administration and Technology be abolished at Kingsborough Community College effective September 1, 2006.

EXPLANATION: Pursuant to academic and institutional planning, and in consultation with the affected faculty, Kingsborough Community College proposes to abolish the Department of Office Administration and Technology and transfer the two faculty members to the Department of Business.

The combination of decreased student enrollment and faculty retirements have left the Department of Office Administration and Technology with two full-time faculty members. In an effort to increase efficiency and to better serve our students, we will merge the two remaining full-time faculty members and all existing Office Administration and Technology programs into the Department of Business.
A separate resolution has been submitted to the Board of Trustees via the University Report regarding these personnel actions. Contingent upon the approval of the Board of Trustees, designated faculty from the Department of Office Administration will be transferred as indicated, effective September 1, 2006.

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

**F.a. MEDGAR EVERS COLLEGE – ABOLITION OF THE DEPARTMENT OF ACCOUNTING, ECONOMICS AND FINANCE:**

RESOLVED, That the Department of Accounting, Economics and Finance in the School of Business at Medgar Evers College be abolished effective July 1, 2006.

**EXPLANATION:** Pursuant to a thorough review and with the agreement of the faculty involved, Medgar Evers College proposes to abolish the existing Department of Accounting, Economics and Finance and to establish a Department of Accounting and a Department of Economics and Finance. The creation of the two new departments grows out of an awareness of the need to provide separate homes for the respective disciplines.

The abolition of the Department of Accounting, Economics and Finance has been reviewed and approved at the College by the appropriate bodies. The abolition will neither impact upon degree programs or courses offered by the College, nor will it affect the tenure of any faculty member.

A separate resolution is being submitted to the Board of Trustees via the University Report to effect the transfer of personnel to the new department that houses the program in which they teach. Contingent upon approval of the Board of Trustees, designated faculty of the Department of Accounting, Economics and Finance will be transferred to the Department of Accounting, the Department of Economics and Finance, and the Department of Business Administration, effective July 1, 2006, with their present rank and status. These actions have been reviewed at the College by the relevant bodies. The resolution regarding this personnel actions is being recommended to the Board of Trustees in the June 2006 University Report.

**F.b. MEDGAR EVERS COLLEGE – ESTABLISHMENT OF THE DEPARTMENT OF ACCOUNTING:**

RESOLVED, That the Department of Accounting be established at Medgar Evers College in the School of Business, effective July 1, 2006.

**EXPLANATION:** The purpose of the new department is to provide an appropriate home for the College’s program in Accounting, and to promote faculty collaboration in support of instructional enhancement. It is expected that the creation of a Department of Accounting will provide faculty and students with a greater voice in future decisions that may impact upon the program.

The creation of the Department of Accounting has been reviewed and approved at the College by the appropriate bodies. The creation will neither impact upon degree programs or courses offered by the College, nor will it affect the tenure of any faculty member.

A separate resolution is being submitted to the Board of Trustees via the University Report to effect the transfer of personnel into the new department. Contingent upon approval of the Board of Trustees, designated faculty will be transferred into the Department of Accounting, effective July 1, 2006, with their present rank and status. These actions have been reviewed at the College by the relevant bodies. The resolution regarding this personnel actions is being recommended to the Board of Trustees in the June 2006 University Report.
F.c. MEDGAR EVERS COLLEGE – ESTABLISHMENT OF THE DEPARTMENT OF ECONOMICS AND FINANCE:

RESOLVED, That the Department of Economics and Finance be established at Medgar Evers College in the School of Business, effective July 1, 2006.

EXPLANATION: The purpose of the new department is to provide an appropriate home for the College’s courses in economics and finance, and to promote faculty collaboration in support of instructional enhancement. It is expected that the creation of a Department of Economics and Finance will provide faculty and students with a greater voice in future decisions that may impact relevant academic programs.

The creation of the Department of Economics and Finance has been reviewed and approved at the College by the appropriate bodies. The creation will neither impact upon degree programs or courses offered by the College, nor will it affect the tenure of any faculty member.

A separate resolution is being submitted to the Board of Trustees via the University Report to effect the transfer of personnel into the new department. Contingent upon approval of the Board of Trustees, designated faculty will be transferred into the Department of Economics and Finance, effective July 1, 2006, with their present rank and status. These actions have been reviewed at the College by the relevant bodies. The resolution regarding this personnel actions is being recommended to the Board of Trustees in the June 2006 University Report.

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

A. THE CITY UNIVERSITY OF NEW YORK – CHANGING OF THE NAME OF THE CITY UNIVERSITY SCHOOL OF LAW FOUNDATION:

RESOLVED, That the Board of Trustees of The City University of New York approve the changing of the Law School Foundation’s name from the City University of New York School of Law at Queens College Foundation, Inc. to the City University of New York School of Law Foundation, Inc.

EXPLANATION: The Foundation was formed in 1994 under the name “The City University School of Law at Queens College Foundation, Inc.” to support and advance the educational mission, programs and activities of the Law School. The Foundation now seeks approval from the Board to change its name. The amendments to the Foundation’s Certificate of Incorporation and its Bylaws to reflect the new name will be reviewed by the Office of General Counsel.

B. THE CITY UNIVERSITY OF NEW YORK – NON-DISCRIMINATION POLICY:

RESOLVED, That The City University of New York Non-Discrimination Policy be adopted, as amended, effective July 1, 2006.

NOTE: See Appendix A

EXPLANATION: The City University of New York, a public university system, adheres to Federal, State and City laws and is committed to upholding values and implementing policies that promote respect for the many diverse cultures found within its community. The University adopted a Non-Discrimination Policy on October 1, 2004 in order to make clear that discrimination is prohibited within the University’s workforce and within its educational programs and activities. Since the policy’s adoption, there have been amendments to the City’s non-discrimination law. This amended policy incorporates those recent amendments and establishes that any future amendments to non-discrimination laws are incorporated into the University’s Non-Discrimination Policy as well.
C. HUNTER COLLEGE – AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the proposed amendments to the Governance Plan of Hunter College be approved.

EXPLANATION: The proposed amendments to the Hunter College Governance Plan have been approved by the Hunter College Senate and are recommended by the College President. The most significant amendments reduce the number of senators and provide for the election of alternate members, while maintaining the current faculty-student-administration ratio. The change is proposed to allow the Senate to conduct its business effectively, in light of the New York State Court of Appeals ruling in Perez v. CUNY indicating that governance bodies such as the Hunter College Senate are subject to the Open Meetings Law and therefore must meet legally-mandated quorum and majority vote requirements in order to conduct business.

Specifically, the Senate membership will be reduced from 202 to 100. In order to ensure that a sufficient number of delegates will be present to conduct business, however, there will be a new category of alternate membership. Alternates will be chosen under a structure that preserves the faculty-student-administration ratio and that is based on the number of faculty departments. Based on the current number of faculty departments, there will be 56 alternates. Alternates will have full floor rights and will be expected to attend and participate in discussions, but will only be permitted to vote and be counted in the quorum when regular members are absent and they are properly seated according to Senate procedures.

In the same vein, proposed amendments will change the number of student representatives on committees and provide for the addition of alternate student members of those committees. Reducing the number of student seats will conform to actual practice under which few students have served on committees during the Senate’s thirty-five year history. The changes will permit students to continue to participate in discussions and to vote as members of committees, while allowing the committees to comply with quorum requirements and therefore to function effectively.

Other changes primarily affect the composition of different committees and clarify certain language in the Governance Plan.

D. QUEENSBOROUGH COMMUNITY COLLEGE – NAMING OF THE HOLOCAUST RESOURCE CENTER THE HARRIET AND KENNETH KUPFERBERG HOLOCAUST RESOURCE CENTER AND ARCHIVES:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Holocaust Resource Center, at Queensborough Community College, The Harriet and Kenneth Kupferberg Holocaust Resource Center and Archives.

EXPLANATION: Harriet Kupferberg, a 1947 graduate of Queens College and chairperson of the Queensborough campaign for the Holocaust Resource Center, has agreed to donate $1 million to the new center. She has been an active member of the Board of Directors of the Queensborough Community College Fund, Inc. for more than 30 years and has an impressive record of support for the College and volunteer service to several organizations throughout the borough of Queens. The gift, payable to the Queensborough Community College Fund Inc., is to establish the Holocaust Resource Center program endowment fund. This funding will ensure the Center’s survival and allow it to educate future generations about the ramifications of unbridled prejudice, racism and stereotyping, and to encourage an awareness and appreciation for diversity in a pluralistic society. In recognition of Harriet Kupferberg’s generosity, the college is delighted to recommend the naming of the Center in the Kupferbergs’ honor.

E. THE GRADUATE CENTER – AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the proposed amendments to the Governance Plan of The Graduate Center of The City University of New York be approved.
EXPLANATION: The proposed amendments to The Graduate Center of The City University of New York’s Governance Plan have been approved by the Graduate Council and are recommended by The Graduate Center’s President.

There are two amendments to the Plan. First, a University Student Senate (“USS”) Graduate Center delegate will join the Faculty Council as a non-voting member of the Council. This change is intended to increase student participation and representation in the Council.

Second, the former Information Resources Committee will be renamed the Information Technology Committee. This change is being made to reflect a change already made in the name of The Graduate Center’s computer operations office, which was changed from the Office of Information Resources to the Office of Information Technology.

F. (TABLE ITEM) NOTICE OF AMENDMENT TO THE BOARD OF TRUSTEES BYLAWS:

Notice is served of proposed amendments to the Board Bylaws, sections 6.2 (a) and (f), regarding service required for the achievement of tenure for certain instructional staff:

RESOLVED, That notice is provided of a proposed amendment to Bylaw 6.2(a) changing from five years to seven years the number of years of full-time continuous service required for achieving tenure for assistant professors, associate professors, professors, medical professors (basic sciences), associate medical professors (basic sciences), assistant medical professors (basic sciences), medical professors (clinical), associate medical professors (clinical), assistant medical professors (clinical), instructors (nursing science), law school professors, law school associate professors, law school assistant professors, law school library professors, law school library associate professors, and law school library assistant professors, appointed to those titles on or after September 1, 2006. No change is made for instructional staff in the titles of college laboratory technician, senior registrar, registrar, assistant registrar, associate registrar, assistant librarian and, in the elementary and high schools: instructor, assistant teacher, critic teacher, teacher, chairperson of department, guidance counselor, and librarian. Notice is further provided of a proposed change to Bylaw 6.2(d) incorporating the new tenure clock into the provision allowing for early tenure in circumstances in which a faculty member’s service is interrupted by a period of a valuable fellowship, such that the Board may grant early tenure after not less than one nor more than seven years of continuous service. Notice is further provided of a proposed change to Bylaw 6.2(f) adjusting the date for notification of the decision regarding reappointment with tenure.

EXPLANATION: The proposed Bylaw revisions reflect changes made in New York State Education Law Section 6212. The University advocated for these changes because it seeks permanent faculty who are able to make significant contributions to their fields through research and scholarly writing, as well as being excellent teachers and engaging in service to their colleges. The five-year time frame, which was shorter than that at most other institutions of higher education, was often too short for faculty members to build sufficient research and publication records to support a decision to grant tenure, particularly in the light of the long lead times that exist to get a book published or to have material accepted and published in leading journals and to have scientific research projects begin to yield results. In addition, the focus on publications in a short time period had often left untenured faculty with insufficient time to participate fully in the life of the college and its students, including service on departmental and college committees.

In addition, under the proposed amendments to the Bylaws, the Board will have the option in the future to create new titles and to determine whether five or seven years will be required for tenure for those titles.
NO. 7. COMMITTEE ON FACILITIES PLANNING, AND MANAGEMENT: RESOLVED, That the following items be approved:

A. THE CITY UNIVERSITY OF NEW YORK – CAPITAL BUDGET MATCHING GRANTS PROGRAM ALLOCATION:

RESOLVED, That the Board of Trustees of The City University of New York authorize the allocation of $8 million to Brooklyn College for the development and construction of the Brooklyn College Performing Arts, and $2 million to Queens College for the renovation of the Kupferberg Center for Visual and Performing Arts through a public/private matching program, from the state-appropriated CUNY-wide FY 2004-05 and 2005-06 Capital Budget funds, and authorize the execution of any other documents related thereto. The form of such agreements shall be subject to approval by the University Office of General Counsel.

EXPLANATION: In order to accelerate the funding implementation of various projects vital to the operations of the Colleges, CUNY established the Capital Budget Matching Grants Program. The Program will match private gift/grant funds with CUNY-wide appropriations from the State. This program is meant to encourage the development of additional private sources of funding from individuals and foundations that until now have either been untapped or underutilized. Through the Matching Grants Program, Colleges can leverage private donor dollars with the public matching funds to create a much larger project. Thus, the Matching Grants Program enhances the attraction of donating funds to CUNY campuses by increasing the scale of projects realized through private funding, thereby raising the potential for public recognition and creating significant naming opportunities.

Below are the summaries of the projects being funded by the $10 million available in the first round of the Capital Budget Matching Program:

1. **Brooklyn College** applied for a matching grant to create the Brooklyn College Performing Arts Center, a new 65,000 gross square foot (gsf) facility, to be built in two phases, between Gershwin and Whitman Halls with connections to both buildings. The first phase of this project will construct almost 30,000 gsf and is estimated to cost approximately $48 million. The College has received approximately $25 million in private donations. Over $10 million of the $25 million has already been received in cash, with another $12 million in pledges expected over the next four years, and the remaining $3 million pledged in the form of planned gifts, which are bequests from the donors.

   The new facility will include a modular theater, ensemble performance space, a new lobby and common back-of-house spaces (scene and costume shops, set and production design labs). The Center will create a contemporary performing arts venue equipped with state-of-the-art technology that will foster synergy within the music and theater programs. It will also contain space for studio arts, film, and television, which will help create synergy among these departments. This facility is part of the 1995 Master Plan to provide additional arts and instructional space. The second phase not yet funded will provide an additional 36,200 gsf.

2. **Queens College** applied for a matching grant to renovate the public gathering spaces in the Colden Auditorium, the Goldstein Theater, and the LeFrak Concert Hall, which is estimated to cost approximately $6 million. The College has received $4 million from Max Kupferberg, Class of ’41. The donation was designated for capital improvements to the Kupferberg Center for Visual and Performing Arts, which includes the Colden, Goldstein, and LeFrak facilities. This project will substantially increase the functionality of the main public spaces by improving the use of the box offices, reception areas, and gift shops. Improvement in lighting, seating, circulation, and in wall, ceiling, and flooring finishes will enhance the appearance of the facility. Barrier-free access to restrooms and the main entrances will bring the Goldstein Theater into code compliance. The Master Plan had identified Colden Auditorium and Goldstein Theater as requiring significant building systems and architectural modifications.

B. THE CITY UNIVERSITY OF NEW YORK – COST ESTIMATOR:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a requirements contract on behalf of the Department of Design, Construction and Management to provide
the services of a Costs Estimator. The contract shall be awarded on the basis of best value to a responsive and responsible offeror after public advertisement and timely submission of sealed proposals pursuant to law and University regulations. The Request for Proposal solicitation and evaluation process shall be conducted by the Department of Design, Construction and Management. The initial term shall be for one year and the contract shall include up to four one-year options for the University to renew in its best interest. Proposers shall be required to provide pricing for each of the five potential years. The contract shall not exceed a total estimated cost of $1,000,000. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: This contract will provide an independent firm with experience in Public/Private partnerships and State and City of New York public sector construction markets to conduct cost estimate and cost estimate audit services.

C. QUEENS COLLEGE – TRACK AND FIELD REHABILITATION:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a construction contract on behalf of Queens College to rehabilitate the track and fields. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. The contract cost shall be chargeable to the City Capital Budget, Project No. QC008-005, for an amount not to exceed $720,000. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: This project will rehabilitate the running track, soccer, softball, and soccer fields.

The Board approved the selection of the design/engineering firm of Retnauer Design Associates, LLC by resolution dated April 26, 2005, Cal. No. 7.C.

D. BROOKLYN COLLEGE – ROOSEVELT HALL FEASIBILITY STUDY:

RESOLVED, That the Board of Trustees of The City University of New York approve the selection of the firm of Shepley Bullfinch Richardson & Abbot in association with FxFowle, PC to provide professional services as required for a feasibility study of Roosevelt Hall at Brooklyn College; and be it further

RESOLVED, That the City University Construction Fund be requested to authorize the Dormitory Authority of the State of New York to enter into a contract with the selected consultant for such services.

EXPLANATION: The proposed project will provide a feasibility study of Roosevelt Hall to create a new Science Complex on the Brooklyn College Campus. The proposed firm was selected in accordance with law.

E. YORK COLLEGE – MASTER PLAN AMENDMENT:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a consultant contract with the firm of Gruzen Samton, LLP for professional design–related services as required for the York College Master Plan Amendment project, CUNY Project No. CA002-004YC. The contract cost shall be chargeable to the State Capital Budget, Project No. CA002-004YC for an amount not to exceed $500,000. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The City University of New York will engage Gruzen Samton, LLP to prepare a Master Plan Amendment for York College.

F. THE CITY UNIVERSITY OF NEW YORK – UNIVERSITY INITIATIVE FOR THE PURCHASE OF AN ENTERPRISE RESOURCE PLANNING SOFTWARE SOLUTION:

WHEREAS, The City University of New York is committed to providing state-of-the-art technology to every member of its faculty and staff, maximizing computer functionality and access for students and prospective students,
streamlining administrative applications throughout the University and effectuating cross-campus compatibility in computer hardware, software, applications and connectivity; and

WHEREAS, By replacing obsolete and homegrown systems with state of the art functionality, an enterprise planning resource software solution, known as an “ERP System,” will create a common technology infrastructure for the Integrated University, addressing the University’s information processing, administrative and management information needs for the twenty first century; and

WHEREAS, In its 2005-2006 capital budget, the Legislature of the State of New York has provided the University with forty five million dollars towards the purchase of an ERP System; and

WHEREAS, The City University of New York intends to seek further funding for the ERP System; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute, on behalf of the Central Office, contracts and such other documents as are necessary to engage a systems integrator who will provide the necessary software and services for an ERP System. The contract with the ERP System provider shall be awarded on the basis of best value to a responsive and responsible offeror after public advertisement and timely submission of sealed proposals pursuant to law and University regulations. The Request For Proposal solicitation and evaluation process shall be conducted by the Office of the Senior Vice Chancellor and Chief Operating Officer, aided by technology and subject matter experts from throughout the University. The initial term during which the selected software is implemented across the University shall be between five and ten years, as negotiated by the parties. The contract shall include an additional term of up to fifteen years, for maintenance of the selected software. All acquisition documents shall be subject to approval as to form by the University Office of General Counsel.

Report of Facilities, Planning, and Management Chair Randy M. Mastro:
Mr. Chairman, we also received an update on the capital budget and public private partnership initiatives at Bronx Community College.

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

A. THE CITY UNIVERSITY OF NEW YORK SCHOOL OF LAW – STUDENT ACTIVITY FEE INCREASE:

RESOLVED, That the student activity fee paid by students at the City University School of Law be increased from $20.85 per semester to $40.85 per semester effective that Fall 2006 semester. The entire fee will be allocated by the Law School Association, in accordance with the following schedule:

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATING BODY</th>
<th>CURRENT</th>
<th>PROPOSED</th>
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<tbody>
<tr>
<td>Law School Association</td>
<td>$20.00</td>
<td>$40.00</td>
</tr>
<tr>
<td>University Student Senate</td>
<td>$ 0.85</td>
<td>$ 0.85</td>
</tr>
<tr>
<td>Total Student Activity Fee</td>
<td>$20.85</td>
<td>$40.85</td>
</tr>
</tbody>
</table>

There is no Summer Session fee.

EXPLANATION: The proposed student activity fee schedule represents an increase of $20.00 and will be earmarked to the Law School Association to support all student organizations and events at the Law School. The student activity fee was last increased in 1993.

A student activity fee referendum was held April 3-6, 2006 in accordance with Bylaw Section 16.12. The vote was 81 in favor and 32 opposed, with 28% of the eligible students voting on the referendum. The Dean of the Law School
supports the fee increase because of the growth in the number of student organizations, the number of events that are held for students and the costs associated with these activities.

B. THE CITY UNIVERSITY OF NEW YORK – REVISIONS TO THE BOARD GUIDELINES FOR ELIGIBILITY FOR SERVICE AS MEMBERS AND OFFICERS OF STUDENT GOVERNMENTS AND THE UNIVERSITY STUDENT SENATE TO APPLY TO OTHER STUDENT LEADERSHIP POSITIONS:


GUIDELINES FOR ELIGIBILITY FOR SERVICE AS MEMBERS AND OFFICERS OF STUDENT GOVERNMENT AND THE UNIVERSITY STUDENT SENATE, AND OTHER STUDENT LEADERSHIP POSITIONS

PREAMBLE:

In accordance with its policy making authority and responsibilities, the University Trustees have determined that satisfactory academic achievement and progress as a degree-seeking student at a college of the University is an essential prerequisite to holding and adequately fulfilling the responsibilities of student office.

It is the responsibility of the University, and its Trustees as fiduciaries, to insure that the educational and extracurricular programs of the University are operated in the best interests of students and all other affected constituencies of the University. The academic standards hereby adopted are considered essential for the personal well-being and academic progress of students who seek to take on the additional responsibility of student leadership, as well as for the students and other members of the University community.

ELIGIBILITY GUIDELINES:

The following guidelines apply to each semester a student is running for and/or holding office, whether by election, appointment, or ex-officio status, in student governments, and the University Student Senate and other bodies. The positions subject to these guidelines are the members (senators, representatives, delegates, etc.) and officers of student governments, members of faculty-student disciplinary committees, members of the governing boards of college associations and auxiliary enterprise boards, members of allocating bodies of student activity fees, members of college governance bodies including college councils and senates, editors of student publications and officers and directors of radio and television stations, members of student elections review committees, members of personnel and search committees, members and alternate members of Board committees, and the chair, vice-chairs, the delegates, the alternates, and any other officers established by the University Student Senate. In these guidelines, credit hours refer to actual credit hours, and not equivalent or contact hours.

1. Students must be matriculated in a degree or credit-bearing certificate program at the college in which they serve or which they represent.
   a. Full-time undergraduate students must carry a minimum of 12 credit hours.
   b. Part-time undergraduate students must carry a minimum of 6 credit hours.
   c. Graduate students must carry a minimum of 3 credit hours.
   d. In order to serve each semester, a student must have completed and earned passing grades in at least 50% of the credits for which they registered the prior semester, but in no event less than 3 credits.
   e. Full-time doctoral students at Level II or III shall be making satisfactory progress and shall not be subject to subdivisions c and d hereof.

2. Undergraduate students must have a minimum cumulative grade point average of 2.0 and be in good standing to participate in student government and the University Student Senate and the other student leadership positions covered by these guidelines. Chief executive officers and the
Chairperson of the University Student Senate must have a minimum GPA of 2.5. Colleges may continue to administer or adopt higher academic standards for service in their campus student government and the other student leadership positions covered by these Guidelines, subject to approval by the Chancellor.

3. Graduate students must have a minimum cumulative grade point average of 3.0. Law School students must be in good standing.

4. Undergraduate students may not serve in any one of the following student leadership positions: as officers of student government, as members of the governing boards of college associations and auxiliary enterprise boards, as members of allocating bodies of student activity fees, as members of college governance bodies including college councils and senates, and editors of student publications and officers and directors of radio and television stations for more than a total of five years, to include no more than three years at community colleges. Students shall be permitted to serve in the same executive office in a student government, or the University Student Senate, or other student leadership position for a maximum of two years, except that co-chairs of the Doctoral Student Council shall be limited to a maximum of three years.

5. In order to participate in campus student governments or serve in the other student leadership positions covered by these Guidelines, students must be certified as being in compliance with these Guidelines by the college’s chief student affairs officer, to the college president.

6. In order to participate in the University Student Senate or on Board committees, students must be certified as being in compliance with these Guidelines by the college president, or his/her designee, to the Vice Chancellor for Student Development.

And be it further

RESOLVED, That these amendments shall be effective January 1, 2007 except that students then holding office may continue to serve until the end of the term of office.

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

EXPLANATION: These amendments extend the Board’s eligibility guidelines for participation in campus student governments, the University Student Senate, and Board committees to members of faculty-student disciplinary committees, members of the governing boards of college associations and auxiliary enterprise boards, members of allocating bodies of student activity fees, members of college governance bodies including college councils and senates, editors of student publications and officers and directors of radio and television stations, members of student elections review committees, and members of personnel and search committees. The Board’s Committee Structure Resolution already imposes these eligibility requirements on student members and alternate members of Board committees, but they are also being included in this resolution to make it complete and inclusive as to student eligibility requirements. Students currently serving in leadership positions will not be affected. The Board’s eligibility guidelines do not apply to student clubs and other student organizations, for which colleges may establish their own standards. Colleges may establish higher academic standards for leadership positions with respect to G.P.A. and credit hours, subject to approval by the Chancellor.

In addition, subdivision four is amended to include certain leadership positions outside the student government within the provision for term limits. It is also clarified to limit the application of the maximum of two years in office to executive positions, as was the original intent. As an example, an undergraduate student may serve as a member (senator, representative, delegates, etc.) of student government for five years, by may only serve as president for two of those years. Such a student could also serve as treasurer or secretary, etc., for another two of those five years. The term limitations do not apply to service as a member of a faculty-student disciplinary committee, or as a member of a student election review committee, or as a member of a personnel and search committee. Also, Law School students are now required to have a 2.3 GPA to be in good standing rather than a 2.0 GPA.
Statement of Trustee Kenneth E. Cook:
The Committee on Student Affairs and Special Programs also wishes to thank Dean Harry Franklin for his leadership, intelligence, wisdom and friendship over the past year. Thank you, very much, Mr. Franklin.

NO. 9. HONORARY DEGREE: RESOLVED, That the following honorary degree, approved by the appropriate faculty body, the college president and recommended by the Chancellor, be presented at the commencement exercise as specified:

<table>
<thead>
<tr>
<th>COLLEGE</th>
<th>DEGREE</th>
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<tbody>
<tr>
<td>COLLEGE OF STATEN ISLAND</td>
<td>Doctor of Laws</td>
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</tbody>
</table>

John J. Marchi

(Awarded at the June 1, 2006 Commencement Exercises following consultation with the Board of Trustees)

Statement of Chancellor Matthew Goldstein:
Mr. Chairman, I would just like to pause and reflect on the awarding of an honorary degree to State Senator John Marchi, who is a true legend in so many ways, not only because of the development of the College of Staten Island but because of his very distinguished work throughout our history with Senator Marchi.

I note that this coming January he will have completed fifty years of public service in the New York State Senate. Of course we all know of his central role in helping CUNY obtain the College of Staten Island campus from the state in order to build a great college at the Willowbrook site. Senator Marchi’s support for CUNY has been extraordinary. Let me just mention a couple of things other than the new campus of the College of Staten Island.

He was the original sponsor in the State Senate for the SEEK program, working with many assembly colleagues such as Shirley Chisholm and Percy Sutton. The legislation he proposed to found the College of Staten Island as a senior college was done in collaboration with Assembly Speaker Stanley Fink, which gave the New York City College of Technology its current status.

During the mid 1970’s he successfully sponsored legislation to formally place the community colleges of CUNY under the jurisdiction of this Board rather than under the SUNY board. He was one of the early proponents of part-time TAP for college students and worked tirelessly in support of student financial aid.

I would like to thank Trustee Rita DiMartino for representing the Board at the College of Staten Island commencement where Senator Marchi received his honorary doctorate, and thank President Marlene Springer for working with us to see this happen. In short, while Senator Marchi will always be thought of as Mr. Staten Island, we think of him as well as the Senator of CUNY.

Statement of Chairman Benno C. Schmidt:
The Trustees approved the award of this degree by mail when I sent you each the material last month, but I think it would be good for us to go on record here in our formal meeting in terms of our support for Senator Marchi. I should note that there is going to be a conference at the College of Staten Island about Senator Marchi’s whole career this coming Fall on November 29th that President Springer is organizing.
NO. 10. SALK SCHOLARSHIPS: RESOLVED, That the Board of Trustees approve the award of the Jonas E. Salk Scholarships to the following graduates who have been recommended by the Chancellor. (Awarded on May 24, 2006 following consultation with the Board of Trustees)

WITH STIPEND

Joanna Ayoung Hunter College
Sherman Sheung Man Chu City College
Irina Dostova Queens College
Simon Gringut Hunter College
Sarah Li Baruch College
Svetlana Rabinovich College of Staten Island
Andrea C. Silva City College
Edwin J. Vazquez City College

HONORARY

Lee Jennifer Cartagena Brooklyn College
Lauren Marcewicz Hunter College
Daniel J. Moskovic Queens College
Max H. Saenz York College
Marc SaintJour, Jr. Brooklyn College
Prashant Sharma College of Staten Island
David Shiu City College

Upon motions duly made, seconded and carried, the public meeting was adjourned at 6:06 P.M., and the Board agreed to go into Executive Session to discuss personnel matters.

SECRETARY AND VICE CHANCELLOR JAY HERSHENSON
MINUTES OF THE EXECUTIVE SESSION OF THE BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK

HELD

JUNE 26, 2006

AT BARUCH COLLEGE VERTICAL CAMPUS
55 LEXINGTON AVENUE – BOROUGH OF MANHATTAN

The Executive Session was called to order at 6:08 P.M.

There were present:

Benno C. Schmidt, Jr., Chairman

John S. Bonnici
Wellington Z. Chen
Kenneth E. Cook
Rita DiMartino
Randy M. Mastro

Hugo M. Morales
Marc V. Shaw
Freida Foster-Tolbert
Jeffrey S. Wiesenfeld

Carlos Sierra, ex officio
Manfred Philipp, ex officio (non-voting)*

Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Jay Hershenson, Secretary and Vice Chancellor for University Relations
Hourig Messerlian, Deputy to the Secretary of the Board

Chancellor Matthew Goldstein
Executive Vice Chancellor Selma Botman
Senior Vice Chancellor Allan H. Dobrin
Vice Chancellor Ernesto Malave
Vice Chancellor Brenda Richardson Malone
Vice Chancellor Michael Zavelle

The absence of Trustees Valerie Lancaster Beal, Philip Berry, Joseph J. Lhota, Kathleen M. Pesile, and 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 7:23 P.M. to go into Public Session.

* Trustee Manfred Philipp left the Executive Session for the discussion on the collective bargaining agreement.

SECRETARY AND VICE CHANCELLOR JAY HERSHENSON
MINUTES OF THE MEETING OF THE BOARD OF
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK

HELD

JUNE 26, 2006

AT BARUCH COLLEGE VERTICAL CAMPUS
55 LEXINGTON AVENUE – BOROUGH OF MANHATTAN

The Public Session reconvened at 7:24 P.M.

There were present:

Benno C. Schmidt, Jr., Chairman

John S. Bonnici
Wellington Z. Chen
Kenneth E. Cook
Rita DiMartino
Randy M. Mastro

Hugo M. Morales
Marc V. Shaw
Freida Foster-Tolbert
Jeffrey S. Wiesenfeld

Carlos Sierra, ex officio
Manfred Philipp, ex officio (non-voting)

Frederick P. Schaffer, General Counsel and Vice Chancellor for Legal Affairs
Jay Hershenson, Secretary and Vice Chancellor for University Relations
Hourig Messerlian, Deputy to the Secretary of the Board
Anthony Vargas

Chancellor Matthew Goldstein
Executive Vice Chancellor Selma Botman
Senior Vice Chancellor Allan H. Dobrin
Vice Chancellor Ernesto Malave
Vice Chancellor Brenda Richardson Malone
Vice Chancellor Michael Zavelle

The absence of Trustees Valerie Lancaster Beal, Philip Berry, Joseph J. Lhota, Kathleen M. Pesile, and Carol Robles-Roman, was excused.
Upon motions duly made, seconded and carried, the following resolution was adopted: (Calendar Nos. 13 through 15)


RESOLVED, That the collective bargaining agreement, the supplementary agreement covering Continuing Education, and the supplementary agreement covering employees at the Educational Opportunity Centers, between The City University of New York and the Professional Staff Congress/CUNY for the period November 1, 2002 through September 19, 2007, are hereby approved; and be it further

RESOLVED, That the Chancellor is hereby authorized and directed to execute the collective bargaining agreement, the supplementary agreement covering Continuing Education, and the supplementary agreement covering employees at the Educational Opportunity Centers with the Professional Staff Congress/CUNY.

NOTE: See Appendix B

EXPLANATION: The prior collective bargaining agreement, the prior supplementary agreement covering Continuing Education, and the prior supplementary agreement covering employees at the Educational Opportunity Centers between The City University of New York and the Professional Staff Congress/CUNY expired on October 31, 2002. This resolution approves the successor 2002-2007 agreements.

NO. 14. THE CITY UNIVERSITY OF NEW YORK - TITLES OR DUTIES EXCLUDED FROM AGREEMENTS WITH THE PROFESSIONAL STAFF CONGRESS/CUNY:

RESOLVED, That effective November 1, 2002, the articles identified below of the November 1, 2002 – September 19, 2007 collective bargaining agreement between The City University of New York and the Professional Staff Congress/CUNY shall apply to employees, other than those in the Executive Compensation Plan, the Medical Series, and the Law School Series, in functions or titles that are otherwise excluded from the agreement pursuant to Article 1 thereof for the period November 1, 2002 through September 19, 2007. Such application shall prevail during the time of service of a person in the designated titles or while the person is performing the functional duties that are the basis for exclusion from the agreement:

Article 1 Recognition (insofar as exclusions from the unit are identified)
Article 14 Leaves and Holidays (Except Section 14.9)
Article 16 Temporary Disability or Parental Leave
Article 17 Jury Duty
Article 24 Salary Schedules (in the regular appointment title, exclusive of remis)
Article 25 Research, Fellowship and Scholar Incentive Awards (for persons with faculty responsibility)
Article 26 Welfare Benefits
Article 27 Retirement
Article 29 Waiver of Tuition Fees
Article 30 Facilities and Services
Article 31 Rehiring of Persons Who Are Discontinued
Article 33 Faculty and Staff Development
Article 36 Resident Series
Article 43 Duration

AND BE IT FURTHER

RESOLVED, That effective November 1, 2002, Articles 26 (Welfare Benefits), 27 (Retirement), Article 34.1 or Article 35.1, as applicable, and Article 43 of the November 1, 2002 – September 19, 2007 collective bargaining agreement
between The City University of New York and the Professional Staff Congress/CUNY shall apply to all employees in
the Medical Series and the Law School Series, other than those in the Executive Compensation Plan, in the functions
and titles that are excluded from the agreement pursuant to Article 1 thereof for the period November 1, 2002 through
September 19, 2007. Such application shall prevail during the time of service of a person in the designated titles or
while a person is performing the functional duties that are the basis for exclusion from the agreement; and be it

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

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

NO. 15. THE CITY UNIVERSITY OF NEW YORK -- ADOPTION OF A SALARY PLAN FOR TITLES
WITHIN THE EXECUTIVE COMPENSATION PLAN:

WHEREAS, Executive Compensation Plan (ECP) resolutions in 1987, 1994 and 2000 state “that periodically . . . but
no less frequently than every five years, the Board of Trustees shall review national peer data to compare and
reassess its Executive Compensation (Salary) Plan” (Board Minutes 10/26/87, 6/27/94, 2/22/2000), and

WHEREAS, In February of 2000 the Board of Trustees approved a Revised Salary Plan which was based on a
review of market data and best practices in higher education conducted by the firm of William M. Mercer, Inc., and

WHEREAS, In 2003 the University again engaged the services of William M. Mercer, Inc. to update the market
analysis previously performed, and

WHEREAS, Chapter 263 of the Laws of 1987 authorizes the Board of Trustees to establish and implement a Salary
Plan for executive staff following consultation with the Governor’s Office of Employee Relations and the Division of
the Budget, and further requires the Board of Trustees to file a proposed Salary Plan Report with the Chairs of the
Senate Finance Committee and the Assembly Ways and Means Committee and the Director of the Budget at least 60
days prior to the effective date of the Plan, now therefore, be it

RESOLVED, That the attached Salary Plan Report for the Executive Compensation Plan dated June 26, 2006 is
approved effective September 1, 2006, and be it further

RESOLVED, That the Chancellor is authorized to take all necessary actions to effect the implementation of the Salary
Plan pursuant to Chapter 263 of the Laws of 1987 with the understanding that the Chancellor is granted the authority
to make appropriate adjustments to the plan resulting from consultation with the New York State Division of the
Budget, and/or the New York State Office of Employee Relations, and be it further

RESOLVED, That the Chancellor is authorized to issue Revised Terms and Conditions of Employment for Members
Serving in the Executive Compensation Plan, which provides guidance for implementation of the salary plan.

EXPLANATION: The Board recognizes that competitive, market driven compensation for the Chancellor, the
Presidents and other senior executives is necessary and critical to the success of The City University of New York
and central to the Board’s mandate to continue to improve standards and promote accountability. The primary
objective of the proposed Salary Plan is to provide a total compensation program that addresses the need to be
competitive with the national market and to acknowledge the complexity of specific institutions while promoting and recognizing individual excellent performance.

The proposed revisions to the Salary Plan are based in large part on a market analysis conducted by William Mercer in 2003. Appropriate adjustments have been made to account for recent increases in the cost of living in the metropolitan New York area.

The attached Salary Plan Report provides recommendations for salary ranges for each title within the Executive Compensation Plan. The plan proposes four salary structures for all campus executives, which mirror the tiered structure of Presidential compensation; a fifth structure has been designed to accommodate system positions. The salary ranges for all titles are such that the salaries of all but four incumbents are absorbed within the proposed ranges. In addition, a maximum salary for new hires has been added to the salary matrix. Further, the new plan permits the Chancellor to authorize lump sum bonuses in addition to, or in lieu of, base salary increases.

The proposed plan also includes adjustments to the housing allowance, and makes study leaves available to all ECP members.

Movement of ECP staff through the ranges (toward the maximum) will continue to be based on annual assessments of individual performance. No automatic salary improvements result from the implementation of this new Salary Plan. Future modifications of individual salaries, within the appropriate ECP range will be at the discretion of the Board of Trustees upon the recommendation of the Chancellor.

The Revised Terms and Conditions of Employment for Members of the Executive Compensation Plan, codifies appropriate terms and conditions of employment for executive staff and has been revised to conform to changes in the Salary Plan.

Statement of Chairman Benno C. Schmidt:
I would like to bring down the curtain on certainly the most successful year that I have seen in my seven years of activity with The City University of New York, so I want to thank all the members of the Board and the chancellery for their service. I think people should go home feeling that this was a year of very significant accomplishments and one to build on in the future.

Upon motions duly made, seconded and carried, the meeting was adjourned at 7:28 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.)
Non-Discrimination Policy

Statement of Principles

The City University of New York, located in a historically diverse municipality, is committed to engendering values and implementing policies that will enhance respect for individuals and their cultures. The University believes that, in order truly to benefit from this diversity, the University must foster tolerance, sensitivity and mutual respect among all members of its community. Efforts to promote diversity and to combat bigotry are an inextricable part of the educational mission of the University. Diversity among the University’s many members strengthens the institution, promotes the exchange of new ideas, and enriches campus life.

The University does not condone and will not tolerate discrimination in employment or in its educational programs and activities.

The City University of New York continues to recognize the important need to maintain at each campus equal access and opportunity for qualified students, faculty and staff from all ethnic and racial groups and from both sexes.

Policy Statement

It is the policy of The City University of New York and the constituent colleges and units of The University to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender identity, marital status, legally registered domestic partnership status, disability, predisposing genetic characteristics, alienage, citizenship, military or veteran status, or status as a victim of domestic violence.

Sexual harassment, a form of sex discrimination, is prohibited under the University’s Policy Against Sexual Harassment.

The City University of New York, as a public university system, adheres to federal, state, and city laws and regulations regarding non-discrimination and affirmative action including, among others, Executive Order 11246, as amended, the Civil Rights Law of 1866, Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Section 402 of the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, as amended and the Age Discrimination Act of 1975, the New York State Human Rights Law, the New York State Civil Rights Law, and the New York City Human Rights Law. The “protected classes”, as delineated in Executive Order 11246 (Black, Hispanic, Asian/Pacific Islander, American Indian/Alaskan Native and Women), were expanded on December 9, 1976 by the Chancellor of The City University of New York to include Italian-Americans. Should any federal, state, or city law or regulation be adopted that prohibits discrimination based on grounds or characteristics not included in this policy, this policy shall be read to prohibit discrimination based on those grounds or characteristics, as well.
Responsibility for Compliance

The President of each constituent college of the University, the Senior Vice Chancellor at the Central Office, and the Deans of the Law School and the Graduate School of Journalism shall have ultimate responsibility for overseeing compliance with this Policy at his or her respective unit of the University.

Discrimination Complaints

The City University of New York is committed to addressing discrimination complaints promptly, consistently and fairly. There shall be an employment discrimination complaint procedure administered by each unit of the University. Students who believe they have been discriminated against in violation of this Policy should bring their complaints to the Chief Student Affairs Officer for investigation by the officer or his or her designee in accordance with this Policy.

Retaliation against any member of the University community who has made a complaint of discrimination is prohibited

Effective July 1, 2006
MEMORANDUM OF AGREEMENT
FOR A SUCCESSOR AGREEMENT BETWEEN
THE CITY UNIVERSITY OF NEW YORK AND
THE PROFESSIONAL STAFF CONGRESS/CUNY

1. **Term of the Agreement:** The term of the agreement shall be from November 1, 2002 through September 19, 2007.

2. **Continuation of Terms:** The terms of the 2000-2002 PSC/CUNY collective bargaining agreement shall be continued except as modified by this Memorandum of Agreement. (Article and section numbers referenced below refer to the 2000-2002 collective bargaining agreement.)

3. **Across the Board Salary Increases:**
   a. 2.5% effective May 1, 2004
   b. 2.75% effective May 1, 2005, compounded
   c. 3% effective May 1, 2006, compounded
   d. $800 increase added to salary schedules effective September 19, 2007 for full-time instructional staff.
   e. 1% uncompounded increase to salary schedules effective September 19, 2007 for part-time instructional staff and to base salary for continuing education teachers effective September 19, 2007.
   f. Retroactive pay will be paid to employees for such time as they were in active pay status during the periods specified in this paragraph, as follows:
      (i) For the period May 1, 2004 through April 30, 2005, employees will receive retroactive salary equal to 0.5% per annum on the April 30, 2004 salary rate. For the period May 1, 2005 to the date upon which the new salary schedules are implemented, employees will receive retroactive salary on the April 30, 2004 salary rate equal to 2.5% per annum.
      (ii) For the period May 1, 2005 to the date upon which the new salary schedules are implemented, employees will receive retroactive salary on the April 30, 2005 salary rate, as increased pursuant to paragraph 3.a above, equal to 2.75% per annum.
(iii) For the period May 1, 2006 to the date upon which the new salary schedules are implemented, employees will receive retroactive salary on the April 30, 2006 salary rate, as increased pursuant to paragraph 3.a and 3.b above, equal to 3% per annum.

(iv) In calculating the retroactive pay provided for in paragraph 3.f (i) through (iii), the January 1 and July 1 step increases that employees may have received will be adjusted by the appropriate percentage increases.

4. **Tenure Reform**: The Professional Staff Congress/CUNY and The City University of New York will jointly seek legislation to amend Section 6212 of the New York State Education Law to provide that reappointment with tenure will occur after seven full years of continuous service, rather than after five full years of continuous service, except that, for employees in college laboratory technician titles and in tenurable titles in the Hunter College Campus Schools, reappointment with tenure will continue to occur after five full years of continuous service.

Thus, instructional staff in the grades of professor, associate professor, assistant professor, or in any grade or position the CUNY Board of Trustees in its discretion may add thereto, who, after serving on an annual salary in any of the grades or positions enumerated or provided for in this paragraph for seven full years continuously, have been appointed or shall be appointed for an eighth full year, shall be tenured effective on the first day of September following their reappointment for an eighth full year.

Instructional staff in the grades of college laboratory technician and in the Hunter College Campus elementary and high schools: instructor, assistant teacher, critic teacher, or teacher, or in any grade or position the CUNY Board of Trustees in its discretion may add thereto, who, after serving on an annual salary in any of the grades or positions enumerated or provided for in this paragraph for five full years continuously, have been appointed or shall be appointed for a sixth full year, shall be tenured effective on the first day of September following their reappointment for a sixth full year.

Additionally, on the same date that the legislation set forth in Appendix A becomes effective, the following grades or positions that the CUNY Board of Trustees has added to the instructional staff shall achieve tenure as follows: instructional staff in the titles medical professor (basic sciences), medical associate professor (basic sciences), medical assistant professor (basic sciences), medical professor (clinical), medical associate professor (clinical), medical assistant professor (clinical), law school professor, law school associate professor, law school assistant professor, instructor (nursing sciences), who, after serving on an annual salary in any of the grades or positions enumerated or provided for in this paragraph for seven full years continuously, have been appointed or shall be
appointed for an eighth full year, shall be tenured effective on the first day of September following their reappointment for an eighth full year.

The jointly agreed upon legislation to effect this change appears in Appendix A. The implementation of the fellowship leave enhancement in paragraph 10 below, the additional 12 hours of reassigned time for untenured faculty in paragraph 9 below, and the increase in library reassignment leaves in paragraph 19 below shall be effective on the September 1 following enactment of the legislation set forth in Appendix A.

5. **Annual Leave**: Article 14.1 will be amended to read as follows:

Effective August 25, 2006, the period of annual leave for full-time teaching members of the faculty shall be from the day subsequent to the spring commencement of each college until the third day, excluding Saturday and Sunday, preceding the thirtieth of August that follows such commencement, or an equivalent consecutive period.

6. **Welfare Fund**:

a. **Municipal Labor Committee Agreements**: The following documents are incorporated by reference: The 2004 Health Benefits Agreement between the City of New York and the Municipal Labor Committee; the letter dated October 21, 2004 from Commissioner James F. Hanley to PSC President Barbara Bowen, with Dr. Bowen’s signature at the bottom indicating agreement with the terms set forth therein regarding the 2004 Health Benefits Agreement; the 2005 Health Benefits Agreement between the City of New York and the Municipal Labor Committee; the letter dated July 13, 2005 from Commissioner James F. Hanley to Ms. Randi Weingarten, Chairperson of the Municipal Labor Committee, with Ms. Weingarten’s signature; the letter dated July 22, 2005 from Commissioner James F. Hanley to PSC President Barbara Bowen, with Dr. Bowen’s signature at the bottom indicating agreement with the terms set forth therein; and the memorandum dated January 18, 2006 from Commissioner James F. Hanley to Affected City and City-Related Agencies.

b. In addition to the terms of the agreements referenced in paragraph 6.a above, the per annum contribution paid on behalf of each full-time eligible employee to the PSC-CUNY Welfare Fund under Article 26 of the PSC/CUNY collective bargaining agreement shall be increased as indicated below:

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<tr>
<td>$150</td>
<td>August 25, 2006</td>
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<td>$50</td>
<td>September 19, 2007</td>
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c. In addition to the terms of the agreements referenced in paragraph 6.a above, the per annum contribution paid on behalf of each eligible employee separated from service to the PSC-CUNY Welfare Fund under Article 26 of the PSC/CUNY collective bargaining agreement shall be increased as indicated below:

i) Each eligible employee separated from service from July 1, 1970 through August 31, 1982

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<td>September 19, 2007</td>
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ii) Each eligible employee separated from service on or after September 1, 1982

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<tr>
<td>$150</td>
<td>August 25, 2006</td>
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<tr>
<td>$50</td>
<td>September 19, 2007</td>
</tr>
</tbody>
</table>

d. The University will make a one-time, lump sum cash payment to the PSC-CUNY Welfare Fund of $12,404,673 upon ratification of the agreement by the membership of the PSC and approval by the Board of Trustees of The City University of New York.

e. The University will make an additional one-time lump sum cash payment in the amount of $17,593,896 upon ratification of the agreement by the membership of the PSC and approval by the Board of Trustees of The City University of New York.

f. Effective May 1, 2004, recurring funds in the amount of $1,319,542 per annum will be paid by the University to the PSC-CUNY Welfare Fund; a pro-rata share will be paid monthly.

g. Effective May 1, 2006, additional recurring funds in the amount of $879,695 per annum, for a total, including the amount set forth in paragraph 6.f above, of $2,199,237, will be paid by the University to the PSC-CUNY Welfare Fund; a pro-rata share will be paid monthly.

h. To reflect the changes made pursuant to paragraphs 6.a through 6.g above, Article 26 will be amended as indicated in Appendix B.

7. **Additions to Gross:** The following monetary amounts provided in the 2000-2002 PSC/CUNY collective bargaining agreement shall be increased by 2.5% effective
May 1, 2004, 2.75% effective May 1, 2005, 3% effective May 1, 2006 and 1.01% effective September 19, 2007: PSC-CUNY Research Awards, Travel Allowances, Distinguished Professor Stipends, the HBO/CLT Professional Development Fund and the Continuing Education Teacher Anniversary Payments. The total cost of the increases set forth in this section 7 shall not exceed a cost of 0.11 percent of the last payroll date of January 2002, including spinoffs and pensions.

8. **Reassigned Time for Scholarly Activities: Untenured Faculty Serving as Counselors or as Librarians:**

   a. Effective September 1, 2006, untenured Assistant Professors, untenured Associate Professors and untenured Professors employed as faculty counselors or as faculty librarians, who are initially appointed to those titles on or after September 1, 2006, will receive the equivalent of 12 contact hours of reassigned time during their first three (3) annual appointments in order to engage in scholarly and/or creative activities related to their academic disciplines. Assignment of such reassigned time will be made by the college pursuant to guidelines designed to encourage scholarship.

   b. Effective September 1, 2006, untenured Assistant Professors, untenured Associate Professors and untenured Professors employed as faculty counselors or as faculty librarians who were initially appointed to those titles on September 1, 2002, September 1, 2003, September 1, 2004, or September 1, 2005 and who continue in active pay status will receive the equivalent of 12 contact hours of reassigned time to be used during the 2006-2007, 2007-2008, and 2008-2009 academic years, regardless of tenure status, in order to engage in scholarly and/or creative activities related to their academic disciplines. Assignment of such reassigned time will be made by the college pursuant to guidelines designed to encourage scholarship.

   c. For the purpose of calculating the reassigned time provided in paragraphs 8.a and 8.b above and paragraph 9 below, 12 contact hours shall be equivalent to the number of clock hours that would be necessary to provide full reassigned time to a faculty counselor or a faculty librarian for 15 weeks. Assignment of such reassigned time will be made by the college pursuant to guidelines designed to encourage scholarship.

9. **Additional 12 Hours of Reassigned Time for Untenured Faculty:** Untenured Assistant Professors, untenured Associate Professors and untenured Professors who receive an initial appointment to a professorial title on or after the September 1 following enactment of the legislation regarding tenure set forth in paragraph 4 above will receive an additional twelve (12) contact hours of reassigned time. With the 12 contact hours of reassigned time negotiated in the previous collective bargaining agreement (and, for faculty counselors and faculty librarians, the 12 contact hours in paragraph 8.a above), these faculty members will have a total of 24 contact hours of reassigned time, to be used during their first five (5) annual appointments, in order to engage in scholarly and/or creative activities related to their academic disciplines.
Assignment of such reassigned time will be made by the college pursuant to guidelines designed to encourage scholarship.

10. **Fellowship Leaves**: Effective starting the fall semester following the enactment of the legislation regarding tenure set forth in paragraph 4 above, there will be three types of fellowship leave:

- a full-year at 80% of the bi-weekly salary rate
- a one-half year leave at 80% of the bi-weekly salary rate
- a one-half year leave at full pay.

11. **Teaching Workload at New York City College of Technology**: Effective Fall 2006, the annual undergraduate teaching contact hour workload for Assistant Professors, Associate Professors and Professors at New York City College of Technology shall be 24 hours. The Appendix to the collective bargaining agreement on workload will be amended accordingly.

12. **Modification of Faculty Counselor Workweek and Annual Leave/Creation of Higher Education Counselor**: On or after July 1, 2006, employees in Higher Education Officer Series titles may be appointed or assigned to serve as counselors. Employees in Higher Education Officer Series titles who are appointed or assigned as counselors will be appointed or assigned in either the Higher Education Associate or Higher Education Officer titles, and will be required to have, at a minimum, a Masters degree in an appropriate discipline for personal or psychological counseling.

Colleges may continue to appoint or assign faculty as counselors or to other student personnel assignments. Effective August 25, 2006, faculty appointed or assigned as counselors on or after September 1, 1998 will have the same number of annual leave days and the same workweek as faculty appointed or assigned as counselors before September 1, 1998.

The contractual language for implementing this paragraph is in Appendix C.

13. **Distinguished Professors**: The maximum number of Distinguished Professors shall be increased from 125 to 175. Article 23.1 of the collective bargaining agreement will be amended accordingly.

14. **HEO/CLT Professional Development Fund**:

   a. The September 26, 2003 side letter implementing the HEO/CLT Professional Development Fund negotiated in the 2000-2002 PSC/CUNY collective bargaining agreement will be amended as follows:

   (i) The maximum grant shall be $3,000.
(ii) The three application deadlines shall be replaced by a provision for rolling applications.

(iii) Up to $3,000 annually may be spent from the Fund to reimburse the PSC for administrative expenses incurred by the PSC in implementing the Fund. The PSC will provide an annual itemized accounting of these expenses.

(iv) Members of the HEO/CLT Professional Development Committee may receive a stipend from the HEO/CLT Professional Development Committee Fund of up to $3,000 per person per annum. The cost to the HEO/CLT Professional Development Fund for these stipends may not exceed $12,000 per annum.

b. Consistent with the parties’ understanding in the September 26, 2003 side letter, which requires the parties to negotiate the use of funds in excess of $500,000 in the HEO/CLT Professional Development Fund, the parties have agreed that, effective September 1, 2006, $500,000 from the HEO/CLT Professional Development Fund shall be allocated on a one-time basis to an Adjunct Professional Development Fund. Article 33.5 will be amended accordingly.

15. **Adjunct Enhancements:**

a. **Adjunct Professional Development Fund:** Effective September 1, 2006, the sum of $500,000, from paragraph 14.b above, shall be deposited by the PSC in a separate, interest-bearing account for the purpose of establishing an Adjunct Professional Development Fund. The terms of this Adjunct Professional Development Fund are as follows:

   (i) The Adjunct Professional Development Fund will continue to operate until the $500,000 has been expended.

   (ii) The PSC will establish an Adjunct Professional Development Selection Committee that will be responsible for reviewing applications and making the professional development grants from the Adjunct Professional Development Fund. Applications will be received and grants awarded on a rolling basis.

   (iii) The Professional Development Selection Committee will be responsible for accounting to the PSC for the expenditure of the funds. At the end of each CUNY fiscal year (i.e., June 30), the PSC will provide an accounting of the use of the funds to the President of the
PSC and the Vice Chancellor for Faculty and Staff Relations. This accounting will include the following information: 1) the name of each recipient, 2) the amount of the grant, 3) the specific purpose for which the grant was made, 4) an itemized accounting of other (i.e., administrative) expenditures, 5) the opening balance of the account and 6) the closing balance of the account.

(iv) An adjunct faculty member who is teaching six or more classroom contact hours in the semester and has taught one or more courses for the two most recent consecutive semesters (not including summer session) shall be eligible to apply for a grant from the Adjunct Professional Development Fund. To be eligible for a grant that would be used during an intersession or summer session period when not otherwise employed at the college, an adjunct must meet the above stated eligibility requirements and in addition must have been notified of reappointment for the next consecutive semester. Continuing Education Teachers who are appointed to a position that will continue for a period of more than six months and that requires them to teach a minimum of 20 hours per week and who have taught in such an appointment for the two most recent consecutive semesters (not including summer session) shall also be eligible to apply for a grant from the Adjunct Professional Development Fund.

(v) Eligible employees will apply by using a standard application form. The application will explain how the professional development activity is related to the employee’s position at the University and to the employee’s own professional development. A grant for a professional development activity that conflicts with the employee’s teaching responsibilities will not be awarded.

(vi) Applications must have the approval of one chairperson of a department that is employing the adjunct before being submitted to the Adjunct Professional Development Selection Committee. If the chairperson does not approve the application, he/she must provide an explanation for the disapproval.

(vii) Applications must be approved by the Adjunct Professional Development Selection Committee before the funded professional development activity commences. Funds will be disbursed to the employee only upon submission of documentation acceptable to the Adjunct Professional Development Selection Committee.

(viii) The maximum award for professional development activities in any academic year to an individual is $3,000. Preference will be given to
employees who have not previously received professional
development funds and to employees with long service to the
University. Up to $3,000 annually may be spent from the Fund to
reimburse for administrative expenses. The PSC will provide an
annual itemized accounting of these expenses.

b. Non-Teaching Adjuncts and Adjunct College Laboratory Technicians:
   Article 14.8 will be amended to read as follows:

   Effective August 25, 2006, adjunct classroom teachers, teachers on multiple
   position assignments employed for a course, non-teaching adjuncts including full-
   time instructional staff on non-teaching multiple position assignments and adjunct
   College Laboratory Technicians including full-time instructional staff in adjunct
   college laboratory multiple position assignments may be excused for personal
   illness or personal emergencies including religious observance, death in the
   immediate family or similar personal needs which cannot be postponed for a
   period of 1/15 of the total number of clock hours in the particular session or
   semester. Request for such leave, where possible, must be made in advance, in
   writing. If it is not possible to make such a request in advance, the department
   chairperson or supervisor should be informed as soon as possible. The reason
   provided must be satisfactory to the chairperson or supervisor.

c. Notification of Salary Rate:

   Effective August 25, 2006, the college shall notify each adjunct instructional staff
   member of his/her title and hourly rate of pay in his/her appointment letter. If the
   adjunct instructional staff member believes that the hourly rate of pay is incorrect,
   he/she will so notify the college’s Office of Human Resources. If the adjunct
   notifies the college’s Office of Human Resources within 30 days of the first day
   of the semester, any adjustment in the hourly rate of pay will be made retroactive
   to the first day of the semester. Article 24 will be amended accordingly.

d. Adjunct Service Interrupted by Appointment as a Substitute: Effective
   August 25, 2006, where an adjunct’s continuous appointments in a teaching or
   non-teaching title are immediately followed by an appointment to a Substitute
   full-time position on the instructional staff with no break in service, and the
   period of Substitute service is immediately followed by continuous appointment
   to an adjunct teaching or non-teaching title with no break in service, the period of
   adjunct service immediately preceding the Substitute appointment will be added
   to the continuous adjunct service immediately following the Substitute service, as
   though there were no break in adjunct service, for the purposes of determining
   eligibility under Article 26.5 and Article 29.3 and for the purpose of movement
   within the adjunct salary schedule in Article 24.2.
e. **Communication Resources for Adjuncts:** On campuses where capacity exists, teaching adjunct instructional staff will be provided with a CUNY e-mail address. The colleges will use their best efforts to provide teaching adjunct instructional staff with voicemail and, where feasible, to include them in department directories.

16. **Salary Above Base - Law School Series Titles and Medical Series Titles:** The settlement agreement dated June 25, 2002 that was incorporated into the Memorandum of Agreement that settled the 2000-2002 PSC/CUNY collective bargaining agreement is made applicable to the following titles:

- Medical Professor (Basic Sciences)
- Associate Medical Professor (Basic Sciences)
- Assistant Medical Professor (Basic Sciences)
- Medical Professor (Clinical)
- Associate Medical Professor (Clinical)
- Assistant Medical Professor (Clinical)
- Law School Professor
- Law School Associate Professor
- Law School Assistant Professor
- Law School Library Professor
- Law School Library Associate Professor
- Law School Library Assistant Professor

For titles listed above that do not have a seven-year step, the percentage increases specified in the settlement agreement will be applied to the maximum salary in the salary range for the title.

17. **Minimum Hourly Rate for CLIP Teachers:** The minimum hourly rate for Continuing Education Teachers in the CUNY Language Immersion Program shall be established at $32.50, effective May 1, 2006, and on May 1, 2006 shall be increased as provided in paragraph 3.c above.

18. **Access to College Library for Continuing Education Teachers:** Effective August 25, 2006, Continuing Education Teachers who have an appointment that will last at least six weeks will have library privileges on the campus on which they are working.

19. **Increase in Library Reassignment Leaves:** Effective on the September 1 following the enactment of the legislation regarding tenure set forth in paragraph 4 above, the 50 reassignment leaves provided to librarians annually pursuant to Article 25.4 shall be increased from four weeks to five weeks.
20. **Disciplinary Procedures**: Article 21.12 will be amended such that the current language in paragraph (e) will be deleted and replaced by: Any person convicted of a felony against whom disciplinary charges have been made may, at any time during the pendency of the charges, be suspended without pay by the president of the college.

21. **Distinguished Lecturers**: Effective upon ratification of the agreement by the membership of the PSC and approval by the Board of Trustees of The City University of New York, when a Distinguished Lecturer is hired by the Law School, the salary range for the position shall be from the minimum of the Law School Instructor range to the maximum of the Law School Professor range. When a Distinguished Lecturer is hired by the Sophie Davis School of Biomedical Education, the salary range shall be from the minimum of the Medical Lecturer range to the maximum of the Medical Professor (Clinical) range.

With the exception of the applicable salary ranges, the other terms and conditions of employment of Distinguished Lecturers in the Law School and in the Sophie Davis School of Biomedical Education shall be the same as other Distinguished Lecturers, as provided in Article 11.7.

22. **Educational Opportunity Centers**: Modifications to the terms and conditions of employment for employees of the Educational Opportunity Centers are covered by a separate Memorandum of Agreement.

23. **Grievance and Disciplinary Procedures for Medical and Law School Titles**: Effective August 25, 2006, instructional staff in Medical and Law School titles shall be covered under all provisions of Articles 20 and 21 of the collective bargaining agreement. Articles 1.1, 34.2 and 35.5 shall be modified accordingly.

24. **Recognition Clause**:

   a. Effective August 25, 2006, employees in the Office of the Chancellor and employees in the Office of the Secretary of the Board of Trustees will be added to the list of functions and titles that are excluded in Article 1 of the collective bargaining agreement. Additionally, Article 1 will be amended to provide that not more than one Assistant Principal (Administration) in the Hunter College Campus Elementary School and not more than two Assistant Principals (Administration) in the Hunter College Campus High School will be excluded.

   b. The title “Occasional Per Diem Substitute Teacher” will be accreted to the Professional Staff Congress bargaining unit effective September 1, 2006. The title “Occasional Per Diem Substitute Teacher” is covered by New York State Education Law Section 6216 for salary purposes.
25. 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 therefor, shall not become effective until the appropriate legislative body has given approval.

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

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

28. Enforceability: It is agreed by and between the parties that this Memorandum of Agreement shall not become effective and is not enforceable until the appropriate governmental bodies provide adequate funding of the economic package.

For The City University of New York         For the Professional Staff Congress/CUNY

Matthew P. Alexander  5/10/06                  Barbara Browne  5/11/06
Date                                      Date
APPENDIX A

CUNY Proposal # 2-06

AN ACT to amend the education law in relation to tenure for faculty members at the city university of New York

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 3 of Section 6212 of the education law is amended to read as follows: 3. The permanent instructional staff shall consist of all persons employed by the city university on an annual salary basis at the educational units governed and administered by the board of trustees as follows: (a) in the grades of professor, associate professor, assistant professor, senior registrar, registrar, assistant registrar, associate registrar, assistant librarian, and college laboratory technician; in the elementary and high schools: instructor, assistant teacher, critic teacher, or teacher;] or in any grade or position which the board in its discretion may add thereto, who, after serving on an annual salary in any of the grades or positions enumerated or provided for in section (a) of this paragraph for [five] seven full years continuously, have been appointed or shall be appointed for an [sixth] eighth full year, except as provided in subdivisions four and five of this section; and (b) in the grades of college laboratory technician, senior registrar, registrar, assistant registrar, associate registrar, assistant librarian and in the elementary and high schools: instructor, assistant teacher, critic teacher, or teacher, or in any grade or position which the board in its discretion may add thereto, who, after serving on an annual salary in any of the grades or positions enumerated or provided for in section (b) of this paragraph for five full years continuously, have been appointed or shall be appointed for a sixth full year, except as provided in subdivision four of this section; the membership of such persons on the permanent instructional staff as provided for in section (a) of this paragraph shall become effective on the first day of September.
following their reappointment for the [sixth] eighth full year, and the membership of such persons on the permanent instructional staff as provided for in section (b) of this paragraph shall become effective on the first day of September following their reappointment for the sixth full year. Where the service of a member of the instructional staff, in one of the titles listed or provided for herein, is interrupted by reason of absence on a maternity or child care leave duly granted by the board of trustees, the period of creditable service immediately preceding such absence shall be counted in computing the [five] full years of service required by this subdivision.

Section 2. Subdivision 5 of Section 6212 of the education law is amended to read as follows:

5. Persons appointed to the rank of professor, associate professor or assistant professor may under the provisions of the board of trustee's by-laws be placed on permanent instructional staff by the board of trustees in its discretion after not less than one nor more than [five] seven years of continuous full time service on an annual salary except that persons of proven record who have achieved tenure at another recognized institution of higher learning and whose appointment is to the rank of professor may be granted tenure immediately on appointment. Persons promoted to the rank of professor shall be granted tenure after not more than four years of continuous full time service on an annual salary in positions on the instructional staff.

Section 3. This act shall take effect September 1, 2006 and shall apply to all members of the instructional staff covered by subdivision 3 of section 6212 appointed on or after September 1, 2006.
APPENDIX B Welfare Fund

Article 26 will be amended as follows:

26.1 The University shall make per capita per annum contributions to the PSC-CUNY Welfare Fund as set forth below. The specified amounts will be paid on a per capita pro-rated monthly basis to the PSC-CUNY Welfare Fund for all full-time eligible members of the instructional staff and such other categories of employees on whose behalf the University has agreed with the PSC to make contributions and who are included in the annual audit referenced in the agreement between the PSC, the PSC-CUNY Welfare Fund and the University dated May 26, 2004.

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective October 31, 2002</td>
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<td>$1,440</td>
</tr>
<tr>
<td>Effective August 25, 2006</td>
<td>$1,590</td>
</tr>
<tr>
<td>Effective September 19, 2007</td>
<td>$1,640</td>
</tr>
</tbody>
</table>

26.2 Determination of eligibility and benefits is made by the PSC-CUNY Welfare Fund.

26.3 The parties agree to reorganize the structure of the PSC-CUNY Welfare Fund in accordance with the principles set forth in the document entitled "Structure of the PSC-CUNY Welfare Fund," dated May 21, 1985. The restructured PSC-CUNY Welfare Fund shall for all purposes be considered the successor entity to the former Fund.

26.4 The University shall contribute to the PSC-CUNY Welfare Fund the following annual amounts on a pro-rata basis for instructional staff (a) who have separated from service subsequent to June 30, 1970, who were eligible to receive supplemental welfare benefits at the time of such separation, who remain primary beneficiaries of the New York City Health Insurance Program and are entitled to benefits paid for by the City through such program or (b) who have separated from service subsequent to June 30, 1970, who were eligible to receive supplemental welfare benefits and who were covered by a welfare fund at the time of such separation pursuant to a separate agreement between the Board of Higher Education/CUNY and the certified union representing such employees, who were participants in the CUNY Optional Retirement Program (TIAA - CREF), who were employed by CUNY on a full-time basis for at least ten (10) years, who are at least age 55 and who have elected to and are receiving an annuity benefit from the CUNY Optional Retirement Plan (TIAA - CREF) ("eligible individual or employee").

a. Eligible employees separated from service from July 1, 1970 through August 31, 1982.
Effective October 31, 2002   $1,110
Effective July 1, 2004    $1,175
Effective July 1, 2005    $1,210
Effective January 1, 2006 $1,275
Effective July 1, 2006    $1,175
Effective August 25, 2006 $1,325
Effective September 19, 2007 $1,375

b. Eligible Employees separated from service on or after September 1, 1982.

Effective October 31, 2002   $1,550
Effective July 1, 2004    $1,615
Effective July 1, 2005    $1,650
Effective January 1, 2006 $1,715
Effective July 1, 2006    $1,615
Effective August 25, 2006 $1,765
Effective September 19, 2007 $1,815

26.5 a. Effective upon ratification of the agreement by the union and approval by the Board of Trustees, the University will make two one-time, lump sum cash payments to the PSC-CUNY Welfare Fund: one in the amount of $12,404,673 and the other in the amount of $17,593,896.

b. Effective May 1, 2004, recurring funds in the amount of $1,319,542 will be paid annually by the University to the PSC-CUNY Welfare Fund; a pro-rata share will be paid monthly. Additionally, effective May 1, 2006, recurring funds in the amount of $879,695, for a total of $2,199,237, will be paid annually by the University to the PSC-CUNY Welfare Fund; a pro-rata share will be paid monthly.

26.6 The University and the PSC agree that the health benefit for qualified adjuncts shall be available to those non-teaching adjuncts who are working ten or more hours per week and who have worked ten or more hours for two consecutive semesters and to those teaching adjuncts who are teaching six or more hours (or the equivalent) in the semester and who have taught one or more courses for two consecutive semesters (not including Summer Sessions) provided that said non-teaching and teaching adjuncts are not covered by other primary health care insurance provided by or through another source. Adjuncts who establish eligibility as provided in this paragraph, which is based upon CUNY-wide service, shall be eligible to receive benefits in the third consecutive semester. Such benefit shall be partially contributory by the employee. The amount of the employee's contribution shall depend upon available funding and the number of eligible employees.

An adjunct who has established eligibility for this health benefit shall lose eligibility if in any two out of three academic years the adjunct is employed in only one semester of the year at CUNY.
Effective February 1, 1986, an amount of money equal to one quarter of one percent (.25%) of the aggregate unit salaries shall be paid each year for health insurance benefits to the PSC for this welfare fund health benefit for eligible adjuncts.

Effective August 1, 2002, the additional amount of $1,534,404 per annum will be paid by the University to the PSC-CUNY Welfare Fund; a pro rata share will be paid monthly.
APPENDIX C Modification of Faculty Counselor Workweek and Annual Leave/Creation of Higher Education Counselor:

1. Article 11 is amended, adding a new section, 11.9, as follows:

HEO Counselors

On or after July 1, 2006, employees in Higher Education Officer Series titles may be appointed or assigned as counselors. Employees in the Higher Education Officer series appointed or assigned as counselors may perform all of the functions currently performed by faculty serving as counselors, except for teaching academic courses in other academic departments and for performing the unique roles that faculty play in the governance of the University (e.g., service on departmental personnel and budget committees) unless the college Governance Plan provides for such participation. It is understood that employees in Higher Education Officer Series titles who are appointed or assigned as counselors shall not be required to have a research commitment.

Colleges may continue to appoint or assign faculty as counselors.

2. Article 14.3 c) will be amended to read as follows:

a. Effective August 25, 2006, for instructional staff members who, prior to September 1, 1998 were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, the period of annual leave shall be from the day subsequent to the spring commencement of each college until the third day, excluding Saturday and Sunday, preceding the thirtieth of August that follows such commencement, or an equivalent consecutive period.

b. Effective August 25, 2006, instructional staff members who, on or after September 1, 1998, were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, will have the same number of annual leave days as instructional staff members appointed or assigned full-time as Counselors or to other student personnel assignments prior to September 1, 1998. The period of annual leave for such employees shall be from the day subsequent to the spring commencement of each college until the third day, excluding Saturday and Sunday, preceding the thirtieth of August that follows such commencement or, in the discretion of the college, shall be scheduled in no less than four-week periods, except for the last of such periods, which shall consist of the remaining number of days of annual leave. The number of annual leave days shall be equivalent to the number of days, excluding
Saturdays, Sundays and legal holidays, between the day after the spring commencement of the college until the third day, excluding Saturday and Sunday, preceding the thirtieth of August that follows such commencement.

c. Instructional staff members who, on or after September 1, 1998 but before August 25, 2006, were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, will have through August 24, 2006 to use any annual leave days that they accumulated pursuant to Section 14.3c) of the 1996-2000 and 2000-2002 collective bargaining agreements.

3. Article 15.4 (a) will be modified to read as follows:

Effective August 25, 2006, all members of the Instructional Staff assigned as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, shall have a workweek of thirty (30) hours as assigned.

4. The second paragraph of Article 25.4 will be deleted.
May 10, 2006

Dr. Barbara Bowen
President
Professional Staff Congress/CUNY
25 West 43rd Street
New York, NY 10036

Dear Dr. Bowen:

I write to inform you of my intention to create 100 full-time Lecturer lines over a two-year period that would be available to adjunct instructional staff. This initiative will take the following form:

- Subject to budgetary ability, I will distribute to the colleges up to 50 full-time Lecturer lines during the 2006-2007 academic year with as many as possible to be filled at the beginning of the Spring 2007 semester. The balance of the total of 100 full-time Lecturer lines would be filled in the 2007-2008 fiscal year. To which colleges these lines are distributed is within my sole discretion, as is the distribution of other lines.
- The Presidents of the colleges that receive these Lecturer lines will allocate them in their discretion to college departments.
- In addition to meeting the qualifications for the position, to be eligible to apply for these Lecturer lines, an adjunct instructional staff member must have taught as an adjunct in the department that receives these lines for 8 of the 10 most recent semesters (excluding summer session) and in 7 of those 10 semesters must have taught at least 6 classroom contact hours during the semester. Substitute service shall bridge immediate prior and subsequent adjunct service. In addition, to be eligible, an adjunct instructional staff member must be teaching at least 6 classroom contact hours in the department during the semester in which the search is conducted.
- Searches to fill these Lecturer lines will be conducted pursuant to normal procedures, with the exception that the search will be limited to adjunct instructional staff members who fulfill the eligibility requirements described above in the department that is conducting the search.
- Once one of these Lecturer lines is filled, it is to be treated in all respects like other Lecturer lines under the collective bargaining agreement, the University Bylaws, and other applicable rules and regulations.
- I expect the Chairs of the department to monitor these Lecturer lines for a period of three academic years beginning with the academic year in which the lines are filled. If a vacancy occurs in one of these Lecturer lines during that three-year period, I expect the vacancy to be filled in accordance with the procedures described above. A vacancy is not created by promotion, refrenchment, or non-reappointment due to budgetary reasons.
This is a University initiative that is not part of the collective bargaining agreement and is not funded pursuant to the collective bargaining agreement. It is an exercise of the University's managerial prerogatives regarding hiring decisions, developed, in part, in response to issues that were raised by the Professional Staff Congress during collective bargaining. As such, none of its terms are subject to the grievance procedure in the collective bargaining agreement.

Sincerely,

Matthew Goldstein
MEMORANDUM OF AGREEMENT
BETWEEN
THE CITY UNIVERSITY OF NEW YORK
AND
THE PROFESSIONAL STAFF CONGRESS/CUNY

EDUCATIONAL OPPORTUNITY CENTERS AGREEMENT

1. **Term of the Agreement:** The term of the agreement shall be from November 1, 2002 through September 19, 2007.

2. **Continuation of Terms:** The terms of the 2000-2002 Supplemental Agreement on Educational Opportunity Centers shall be continued except as modified by this Memorandum of Agreement.

3. **Across the Board Salary Increases:**
   a. 2.5% effective May 1, 2004
   b. 2.75% effective May 1, 2005, compounded
   c. 3% effective May 1, 2006, compounded
   d. $800 increase added to salary schedules effective September 19, 2007 for full-time instructional staff.
   e. 1% un-compounded increase to salary schedules effective September 19, 2007 for part-time instructional staff.
   f. Retroactive pay will be paid to employees for such time as they were in active pay status during the periods specified in this paragraph, as follows:

      (i) For the period May 1, 2004 through April 30, 2005, employees will receive retroactive salary equal to 0.5% per annum on the April 30, 2004 salary rate. For the period May 1, 2005 to the date upon which the new salary schedules are implemented, employees will receive retroactive salary on the April 30, 2004 salary rate equal to 2.5% per annum.

      (ii) For the period May 1, 2005 to the date upon which the new salary schedules are implemented, employees will receive retroactive salary on the April 30, 2005 salary rate, as increased pursuant to paragraph 3.a above, equal to 2.75% per annum.

      (iii) For the period May 1, 2006 to the date upon which the new salary schedules are implemented, employees will receive retroactive salary on
the April 30, 2006 salary rate, as increased pursuant to paragraph 3.a and 3.b above, equal to 3% per annum.

(iv) In calculating the retroactive pay provided for paragraph in 3.f.(i) through (iii), the January 1 and July 1 step increases that employees may have received will be adjusted by the appropriate percentage increases.

4. **Annual Leave:** Effective August 25, 2006, the period of annual leave for EOC Lecturers shall be from the day after commencement at the Center until the third day, excluding Saturday and Sunday, proceeding the thirtieth of August that follows commencement, or an equivalent consecutive period.

5. **Welfare Fund:**

   a. **Municipal Labor Committee Agreements:** The following documents are incorporated by reference: The 2004 Health Benefits Agreement between the City of New York and the Municipal Labor Committee; the letter dated October 21, 2004 from Commissioner James F. Hanley to PSC President Barbara Bowen, with Dr. Bowen's signature at the bottom indicating agreement with the terms set forth therein regarding the 2004 Health Benefits Agreement; the 2005 Health Benefits Agreement between the City of New York and the Municipal Labor Committee; the letter dated July 13, 2005 from Commissioner James F. Hanley to Ms. Randi Weingarten, Chairperson of the Municipal Labor Committee, with Ms. Weingarten’s signature; the letter dated July 22, 2005 from Commissioner James F. Hanley to PSC President Barbara Bowen, with Dr. Bowen’s signature at the bottom indicating agreement with the terms set forth therein; and the memorandum dated January 18, 2006 from Commissioner James F. Hanley to Affected City and City-Related Agencies.

   b. In addition to the terms of the agreements referenced in paragraph 5.a above, the per annum contribution paid on behalf of each full-time eligible employee to the PSC-CUNY Welfare Fund under Article 26 of the PSC/CUNY collective bargaining agreement shall be increased as indicated below:

<table>
<thead>
<tr>
<th>Increase</th>
<th>Effective</th>
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<tbody>
<tr>
<td>$150</td>
<td>August 25, 2006</td>
</tr>
<tr>
<td>$50</td>
<td>September 19, 2007</td>
</tr>
</tbody>
</table>

   c. Effective upon ratification of this agreement by the membership of the PSC and approval by the Board of Trustees of The City University of New York the sum of $242,496 will be deposited into an interest-bearing account to offset any premium increases to the basic health insurance program for PSC-represented employees during fiscal years 2007, 2008, and 2009.
d. Effective May 1, 2004, recurring funds in the amount of $10,053 per annum will be paid by the Educational Opportunity Centers to the PSC-CUNY Welfare Fund; a pro-rata share will be paid monthly.

e. Effective May 1, 2006, additional recurring funds in the amount of $6,702 per annum, for a total including the amount set forth in paragraph 5d above, of $16,755 per annum, will be paid by the Educational Opportunity Centers to the PSC-CUNY Welfare Fund; a pro-rata share will be paid monthly.

f. To reflect the changes made pursuant to paragraphs 5.a through 5.e above, Paragraph 2 a) 3) of the Supplemental Agreement on Educational Opportunity Centers will be amended as indicated in Appendix A.

6. **Additions to Gross:** Monetary amounts provided in the 2000-2002 PSC/CUNY collective bargaining agreement (i.e., Professional Development Differential in the EOC Lecturer series and Professional Development Funds in the EOC Higher Education Officer series and the EOC College Laboratory Technician series) shall be increased by 2.5% effective May 1, 2004, 2.75% effective May 1, 2005, 3% effective May 1, 2006, and 1.01% effective September 19, 2007. The total cost of the increase set forth in this section 7 shall not exceed $7,372.

7. **Modification of Faculty Counselor Workweek and Annual Leave/Creation of Higher Education Counselor:** On or after July 1, 2006, employees in EOC Higher Education Officer Series titles may be appointed or assigned to serve as counselors. Employees in EOC Higher Education Officer Series titles who are appointed or assigned as counselors will be appointed or assigned in either the EOC Higher Education Associate or EOC Higher Education Officer titles and will be required to have, at a minimum, a Masters degree in an appropriate discipline for personal or psychological counseling.

   Educational Opportunity Centers may continue to appoint or assign EOC Lecturers as counselors. Effective August 25, 2006, EOC Lecturers appointed or assigned as counselors on or after September 1, 1998 will have the same number of annual leave days and the same workweek as EOC Lecturers appointed or assigned as counselors before September 1, 1998.

   The contractual language from the PSC/CUNY collective bargaining agreement, which will be applicable to the Educational Opportunity Centers, is in Appendix B.

8. **Adjunct Professional Development Fund:** EOC Adjunct Lecturers will be eligible to participate in the Adjunct Professional Development Fund provided for in the PSC/CUNY collective bargaining agreement effective September 1, 2006 and will be subject to all terms specified therein. This provision allows adjunct faculty to apply for awards for professional development activities up to $3,000 per year.
9. **College Laboratory Technicians: Adjunct College Laboratory Technicians:**
   Effective August 25, 2006, EOC Adjunct College Laboratory Technicians including
   full-time instructional staff in EOC Adjunct College Laboratory multiple position
   assignments may be excused for personal illness or personal emergencies including
   religious observance, death in the immediate family or similar personal needs which
   cannot be postponed for a period of 1/15 of the total number of clock hours in the
   particular session or semester. Request for such leave, where possible, must be made
   in advance, in writing. If it is not possible to make such a request in advance, the
   department chairperson or supervisor should be informed as soon as possible. The
   reason provided must be satisfactory to the chairperson or supervisor.

10. **Disciplinary Procedures:** Article 21.12 will be amended such that the current
    language in paragraph (e) will be deleted and replaced by: Any person convicted of a
    felony against whom disciplinary charges have been made may, at any time during
    the pendency of the charges, be suspended without pay by the president of the
    college.

11. **Legislative Action:** It is further 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 therefor, shall not become
    effective until the appropriate legislative body has given approval.

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

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

14. **Enforceability:** It is agreed by and between the parties that this Memorandum of
    Agreement shall not become effective and is not enforceable until the appropriate
    governmental bodies provide adequate funding of the economic package.

For The City University of New York For the Professional Staff Congress/CUNY

[Signatures]

Date 5/10/06 Date 5/11/06
APPENDIX A Welfare Fund

Paragraph 2) a) 3) will be amended as follows:

a. Per capita per annum contributions shall be made to the PSC-CUNY Welfare Fund as set forth below. The specified amounts will be paid on a per capita pro-rated monthly basis to the PSC-CUNY Welfare Fund for all full-time eligible members of the instructional staff.

<table>
<thead>
<tr>
<th>Date</th>
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b. Effective upon ratification of this agreement by the membership of the PSC and approval by the Board of Trustees of The City University of New York the sum of $242,496 will be deposited into an interest-bearing account to offset any premium increases to the basic health insurance program for PSC-represented employees during fiscal years 2007, 2008, and 2009.

c. Effective May 1, 2004, recurring funds in the amount of $10,053 per annum will be paid by the Educational Opportunity Centers to the PSC-CUNY Welfare Fund; a pro-rata share will be paid monthly.

d. Effective May 1, 2006, additional recurring funds in the amount of $6,702 per annum, for a total including the amount set forth in paragraph c above, of $16,755 per annum, will be paid by the Educational Opportunity Centers to the PSC-CUNY Welfare Fund; a pro-rata share will be paid monthly.

Determination of eligibility and benefits is made by the PSC-CUNY Welfare Fund.
APPENDIX B Modification of Faculty Counselor Workweek and Annual Leave/Creation of Higher Education Counselor:

1. Article 11 is amended, adding a new section, 11.9, as follows:

HEO Counselors

On or after July 1, 2006, employees in Higher Education Officer Series titles may be appointed or assigned as counselors. Employees in the Higher Education Officer series appointed or assigned as counselors may perform all of the functions currently performed by faculty serving as counselors, except for teaching academic courses in other academic departments and for performing the unique roles that faculty play in the governance of the University (e.g., service on departmental personnel and budget committees) unless the college Governance Plan provides for such participation. It is understood that employees in Higher Education Officer Series titles who are appointed or assigned as counselors shall not be required to have a research commitment.

Colleges may continue to appoint or assign faculty as counselors.

2. Article 14.3 c) will be amended to read as follows:

a. Effective August 25, 2006, for instructional staff members who, prior to September 1, 1998 were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, the period of annual leave shall be from the day subsequent to the spring commencement of each college until the third day, excluding Saturday and Sunday, preceding the thirtieth of August that follows such commencement, or an equivalent consecutive period.

b. Effective August 25, 2006, instructional staff members who, on or after September 1, 1998, were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, will have the same number of annual leave days as instructional staff members appointed or assigned full-time as Counselors or to other student personnel assignments prior to September 1, 1998. The period of annual leave for such employees shall be from the day subsequent to the spring commencement of each college until the third day, excluding Saturday and Sunday, preceding the thirtieth of August that follows such commencement or, in the discretion of the college, shall be scheduled in no less than four-week periods, except for the last of such periods, which shall consist of the remaining number of days of annual leave. The number of annual leave days shall be equivalent to the number of days, excluding Saturdays, Sundays and legal holidays, between the day after the spring
commencement of the college until the third day, excluding Saturday and Sunday, preceding the thirtieth of August that follows such commencement.

c. Instructional staff members who, on or after September 1, 1998 but before August 25, 2006, were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, will have through August 24, 2006 to use any annual leave days that they accumulated pursuant to Section 14.3c) of the 1996-2000 and 2000-2002 collective bargaining agreements.

3. Article 15.4(a) will be modified to read as follows:

Effective August 25, 2006, all members of the Instructional Staff assigned as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, shall have a workweek of thirty (30) hours as assigned.
May 10, 2006

Dr. Barbara Bowen
President, Professional Staff Congress
25 West 43rd Street
New York, New York 10036

Dear Dr. Bowen:

Pursuant to the 2002-2007 Memorandum of Agreement between the Professional Staff Congress/CUNY and The City University of New York, and subject to enactment of the legislation amending Section 6212 of the Education Law governing tenure, reappointment with tenure will occur after seven full years of continuous service, rather than after five full years of continuous service, for faculty employees in the titles of assistant professor, associate professor or professor and in tenure-bearing titles in the Law School series and the Medical series.

If the legislation is enacted with an effective date of September 1, 2006, the new tenure provisions will affect newly appointed full-time faculty in the above-referenced titles whose initial appointments to those titles commence September 1, 2006. Because this change will take place after offers were made and accepted by such faculty, each college shall notify faculty initially appointed in the above-referenced titles effective September 1, 2006 that they have the right to make a written designation stating that they wish to be considered for tenure after five full years of continuous employment. That designation, which must be received by their department chairperson on or before September 1, 2007, shall be placed in the faculty member’s personnel file and, once made, shall be irrevocable. In the absence of such written designation, all faculty in the above-referenced titles initially appointed effective September 1, 2006 will be considered for tenure after seven continuous years of full-time service as provided in the revised Section 6212 of the Education Law. Full-time faculty in the above-referenced titles initially appointed after September 1, 2006 will be subject to the revised Section 6212 and will not have the right to make such designation.
Regardless of such designation, the provisions of Section 9 (Additional 12 Hours of Reassigned Time for Untenured Faculty) of the Memorandum of Agreement dated May 10, 2006 between the Professional Staff Congress/CUNY and The City University of New York shall apply to all untenured assistant professors, associate professors or professors who receive an initial appointment to a professorial title on or after September 1, 2006.

Sincerely,

Brenda R. Malone
Vice Chancellor

Agreed:  Barbara Bowen
Professional Staff Congress/CUNY
May 10, 2006

Dr. Barbara Bowen  
President  
Professional Staff Congress/CUNY  
25 West 43rd Street  
New York, New York 10036

Dear Dr. Bowen:

I write to confirm the parties’ agreement regarding the implementation of certain agreements in the 2002-2007 PSC/CUNY collective bargaining agreement, as they apply to LaGuardia Community College.

- Article 14.1 will be applied as follows: For full-time teaching members of the faculty at LaGuardia Community College, the period of annual leave shall be from the day subsequent to the last final exam in the Spring I semester until the third day, excluding Saturday and Sunday, preceding the first day of classes of the Fall I semester that follows such Spring I final exam, or an equivalent consecutive period.

- Article 14.3 c) will be applied as follows:

  a. Effective August 25, 2006, for instructional staff members who, prior to September 1, 1998 were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, the period of annual leave shall be from the day subsequent to the last final exam in the Spring I semester until the third day, excluding Saturday and Sunday, preceding the first day of classes of the Fall I semester that follows such Spring I final exam, or an equivalent consecutive period.

  b. Effective August 25, 2006, instructional staff members who, on or after September 1, 1998, were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, will have the same number of annual leave days as instructional staff members appointed or assigned full-time as Counselors or to other student personnel assignments prior to September 1, 1998. The period of annual leave for such employees shall be from the
day subsequent to the last final exam in the Spring I semester until the third day, excluding Saturday and Sunday, preceding the first day of classes of the Fall I semester that follows such Spring I final exam or, in the discretion of the college, shall be scheduled in no less than four-week periods, except for the last of such periods, which shall consist of the remaining number of days of annual leave. The number of annual leave days shall be equivalent to the number of days, excluding Saturdays, Sundays and legal holidays, between the day subsequent to the last final exam in the Spring I semester until the third day, excluding Saturday and Sunday, preceding first day of classes of the Fall I semester that follows such Spring I final exam.

c. Instructional staff members who, on or after September 1, 1998 but before August 25, 2006, were appointed or assigned full-time as Counselors or to other student personnel assignments, except those in the Higher Education Officer series, will have through the day before the first day of classes of the Fall I 2006 semester to use any annual leave days that they accumulated pursuant to Section 14.3c) of the 1996-2000 and 2000-2002 collective bargaining agreements.

Please sign on the line provided below to indicate your agreement with these terms.

Sincerely,

[Signature]

Brenda R. Malone
Vice Chancellor

Agreed: [Signature]
The Professional Staff Congress/CUNY
May 10, 2006

Dr. Barbara Bowen  
President  
Professional Staff Congress/CUNY  
25 West 43rd Street  
New York, New York 10036

Dear Dr. Bowen:

Set forth below are the terms of our agreement regarding the University’s implementation of the salaries at the Hunter College Campus Schools pursuant to Article 24.5 a) of the PSC/CUNY collective bargaining agreement and related matters:

- The University shall apply the salary schedules included in the 2003-2007 UFT/New York City Department of Education collective bargaining agreement to the titles covered under New York State Education Law Section 6216. These salary schedules incorporate the following rate increases: 2% effective December 1, 2003, 3.5% effective December 1, 2004, 5.5% effective November 1, 2005, and 3.25% effective October 1, 2006.

- Employees in the title Assistant Teacher will receive the salary increases negotiated between the Professional Staff Congress/CUNY and The City University of New York. In addition, employees in the title Assistant Teacher in active status on payroll on June 1, 2006 will receive a one-time lump sum payment of $1,500. Employees in the title Assistant Teacher in active status on payroll on June 1, 2007 will receive a one-time lump sum payment of $2,500. During the term of this agreement the parties will discuss replacing the Assistant Teacher title with an appropriate title that exists in the New York City Public Schools.

- Two additional instructional days will be added to the academic calendar of the Campus Schools, resulting in a total of 182 workdays in the academic year for PSC-represented employees of the Hunter College Campus Schools.

- In the Hunter College Elementary School, the workday shall be increased by 10 minutes to 6 hours and 50 minutes. The additional 10 minutes will be added to the end of the school day. In grades 7 through 12, the workday will be increased by 4 additional minutes, with two minutes added at the beginning of the school day and two minutes added at the end of the school day. In addition, in grades 7 through 12, the “break”
between the seventh and eighth periods will be shortened by six minutes. The 10 minutes resulting from lengthening the workday and shortening this break in grades 7 through 12 will be applied to lengthen the Advisement/Activities Period by 10 minutes.

- Teachers of grades 7 through 12 may be assigned to cafeteria duty for four periods per semester. Teachers may be assigned to cafeteria duty during the fourth period, the fifth period, and the Advisement/Activities Period. The parties will discuss appropriate exemptions from cafeteria duty for teachers who have other non-teaching assignments.

- The number of excluded Assistant Principals (Administration) in Article 1 of the PSC/CUNY collective bargaining agreement will be increased by one in the High School for a total of three excluded Assistant Principals (Administration) in the Campus Schools.

- The title “Occasional Per Diem Substitute Teacher” will be accreted to the Professional Staff Congress bargaining unit effective September 1, 2006. The title “Occasional Per Diem Substitute Teacher” is covered by New York State Education Law Section 6216 for salary purposes.

If this reflects your understanding, please indicate your agreement by signing below and returning one original of this letter to me. Thank you.

Sincerely,

[Brenda R. Malone]
Vice Chancellor

Agreed: [Barbara Bowen]
The Professional Staff Congress/CUNY