The Chairperson called the meeting to order at 4:28 P.M.

There were present:

Benno Schmidt, Chairperson
Philip Alfonso Berry, Vice Chairperson

Valerie Lancaster Beal
Wellington Z. Chen
Rita DiMartino
Freida D. Foster
Judah Gribetz
Joseph J. Lhota
Hugo M. Morales

Peter S. Pantaleo
Kathleen M. Pesile
Carol A. Robles-Roman
Charles A. Shorter
Sam A. Sutton
Jeffrey S. Wiesenfeld

Kafui Kouakou, ex officio
Sandi E. Cooper, ex officio (non-voting)
Cory Provost, ex officio

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

Chancellor Matthew Goldstein
EVC and University Provost Alexandra Logue
Executive Vice Chancellor and C.O.O. Allan H. Dobrin
President Scott E. Evenbeck
President Karen L. Gould
President Russell K. Hotzler
President Carole Berotte Joseph
President Marcia V. Keizs
President William P. Kelly
President Gail O. Mellow
President James L. Muyskens
President Antonio Pérez
President Regina Peruggi
President William L. Pollard
President Jennifer Raab
President Felix V. Matos Rodriguez

President Lisa Staiano-Coico
President Jeremy Travis
Dean Michelle Anderson
Dean Ann Kirschner
Dean Kenneth Olden
Senior Vice Chancellor Marc V. Shaw
Vice Chancellor Eduardo J. Marti
Vice Chancellor Frank D. Sánchez
Vice Chancellor Pamela Silverblatt
Vice Chancellor Gillian Small
Vice Chancellor Gloriana Waters
Vice Chancellor Iris Weinshall
Associate Vice Chancellor Matthew Sapienza
Senior University Dean John Mogulescu
RF President Richard F. Rothbard
Chairperson Benno Schmidt called the meeting to order, and announced that the following notice 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. VIDEO TAPING OF BOARD MEETING: Chairperson Schmidt announced that as usual CUNY-TV is making available this important community service by transmitting the Public Sessions of this afternoon’s meeting of the Board of Trustees live on cable Channel 75. The meeting is also being webcast live and can be accessed by going to www.cuny.edu. The Public Session of this afternoon’s Board meeting will be available as a podcast within 24 hours and can be accessed through the CUNY website.

Chairperson Schmidt stated that he is deeply saddened to report that the Honorable James P. Murphy, former chair of the CUNY Board of Trustees, passed away in his sleep at home on Sunday, November 27th. He was eighty-one years old. Mr. Murphy was appointed to the Board on June 11, 1980 and served as the Board's Chairperson from September 29, 1980 until January 31, 1997. He made numerous humanitarian and educational contributions both personally and professionally to improve the lives of others—his family, his many friends, and greater society. He will be sorely missed.

Chairperson Schmidt stated that on behalf of the Board and Chancellor Goldstein, he would like to congratulate and welcome the new USS Chairperson and Student Trustee Kafui Kouakou. Welcome Kafui.

Chairperson Schmidt stated that on behalf of the Board, he would like to express their collective appreciation to Cory Provost for his devoted service as the USS chairperson during the past two academic years. Somehow Cory found the time to train for and to participate in the ING New York City Marathon on November 6th as a runner for the Leukemia and Lymphoma Society, in memory of Brooklyn College co-student and mentor Tyrek Richie. Thank you, Cory, for adhering to such high standards of public and community service.

Chairperson Schmidt stated that in consultation with Chancellor Goldstein, he has appointed the following Trustees who have agreed to serve on the Search Committee for a new President of Queensborough Community College: Trustee Wellington Chen will chair the Committee and Trustees Rita DiMartino, Frieda Foster, Judah Gribetz and Jeffrey Wiesenfeld will serve as trustee members. President Gail Mellow will serve as the presidential representative on this committee. Faculty, students and alumni have been selected pursuant to the University's guidelines.

B. GRANTS: Chairperson 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 September 26, 2011 Board meeting.

BRONX COMMUNITY COLLEGE

1. $233,398 UNITED STATES DEPARTMENT OF EDUCATION to Danvers-Foust, for “Student Support.”
2. $204,390 UNITED STATES DEPARTMENT OF EDUCATION to Danvers-Foust, for “Student Support.”
3. $105,292 **CONSORTIUM FOR WORKER EDUCATION** to Self, G., for “Training.”

**BROOKLYN COLLEGE**

1. $334,150 **UNITED STATES DEPARTMENT OF EDUCATION** to Levy, S., for “Brooklyn College Education Talent Search Program.”

2. $310,860 **NATIONAL INSTITUTES OF HEALTH** to Sanchez-Delgado, R., for “Ruthenium-based Antimalarial Agents.”

3. $204,322 **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION** to Boger, R., for “Global Climate Change, International Food Security, and Local Sustainability: Collaborative Course Development and Sharing Among Institutions Serving Diverse and Underserved Learners.”

4. $169,614 **NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES** to Kohler-Britton, C., for “Child Care Development Block Grant.”

5. $167,132 **NATIONAL INSTITUTES OF HEALTH** to Hainline, L., for “RISE Option 2: Increasing URM Student Success in Science and Science Careers.”

6. $150,908 **NATIONAL INSTITUTES OF HEALTH** to Rabin, L., for “Cognitive Complaints in a Diverse Cohort of Elders: Novel Assessment Approaches.”

7. $135,029 **NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT** to Romer, N. and Reiser, D., for “Neighborhood Development Area – Brooklyn 008.”

8. $126,768 **NATIONAL SCIENCE FOUNDATION** to Ghirlanda, S., for “Collaborative Research: Multi-Ancestor Coalescent Theory for Cultural Evolution.”

9. $107,966 **NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT** to Romer, N. and Reiser, D., for “Neighborhood Development Area – BK5 Maxwell HS.”

**CITY COLLEGE**


2. $2,625,000 **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION** to Khanbilvardi, R. M., for “NOAA Cooperative Remote Sensing Science & Technology Center (CREST).”

3. $1,999,659 **NATIONAL SCIENCE FOUNDATION** to Zhu, Z., Ro, T., and Tian, Y., for “EFRI-M3C: Mobility Skill Acquisition and Learning through Alternative and Multimodal Perception for Visually Impaired People.”

4. $1,938,701 **NATIONAL INSTITUTES OF HEALTH** to Guyden, J., for “RCMI at City College.”

5. $1,706,383 **NATIONAL INSTITUTES OF HEALTH** to Hubbard, K., for “CCNY-MSKCC Partnership for Research, Training and Community Outreach.”

6. $1,350,000 **NATIONAL SCIENCE FOUNDATION** to Vorosmarty, C. and Fekete, B., for “CNH: Impacts of Global Change Scenarios on Ecosystem Services from the World’s Rivers.”

7. $1,125,000 **NATIONAL SCIENCE FOUNDATION** to Parker, N., for “New York City Louis Stokes Alliance – Phase IV.”

8. $1,000,000 **NATIONAL SCIENCE FOUNDATION** to Akins, D., Couzis, A., Gayen, S., and Tamargo, M., for “CREST: Center for Exploration of Nanostructures in Sensors and Energy Systems (CENSES).”

9. $987,000 **NATIONAL SCIENCE FOUNDATION** to Parker, N., for “2011-2013 NYC Bridge to the Doctorate.”
10. $831,607 **UNITED STATES DEPARTMENT OF EDUCATION** to Gonzalez, J., for “CUNY's Initiative for Continuous Innovative Learning Environments in STEM (CILES).”

11. $699,122 **NATIONAL INSTITUTES OF HEALTH** to Steinberg, M., for “Research Support for Biomedical Careers at CCNY.”

12. $525,909 **UNITED STATES DEPARTMENT OF EDUCATION** to Thangaraj, E., for “City College Student Support Service Program.”

13. $503,328 **NATIONAL SCIENCE FOUNDATION** to Carnaval, A., for “Why Are Tropical Mountains Unique? Herpetological Inventories and Evolutionary Biogeography in the Montane Brazilian Atlantic Forests.”

14. $502,888 **NATIONAL INSTITUTES OF HEALTH** to Schaffler, M., for “Structural, Molecular, and Functional Specialization in Pstecyte Mechanosensing.”

15. $499,270 **NATIONAL SCIENCE FOUNDATION** to Govind, S., for “Molecular and Functional Analysis of Virulence Factors from L.Heterotoma, A Generalist Parasite of Drosophila.”

16. $458,837 **UNITED STATES DEPARTMENT OF EDUCATION** to Gonzalez, J., for “Promoting Postbaccalaureate Opportunities for Hispanic Americans (PPOHA).”

17. $449,200 **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION** to McDonald, K., for “Assessment of Accuracy and Uncertainty of the Inundated Wetlands Earth System Data Record.”

18. $403,161 **CHEVRON ENERGY TECHNOLOGY** to Morris, J., for “Microstructures and Rheology of Oilfield Emulsions: Flow Assurance Tools.”

19. $364,080 **NEW YORK STATE EDUCATION DEPARTMENT** to Mackey-McGee, S. and Baldi, C., for “Workforce Investment Act.”

20. $330,257 **NATIONAL INSTITUTES OF HEALTH** to Horvitz, J., for “Accumbens Coding of Reward Expectation: Electrophysiology and Neuropharmacology.”

21. $280,000 **COLUMBIA UNIVERSITY** to Krusin-Elbaum, L., for “Topolgical Insulator-Superconductor Hybrids.”

22. $265,000 **NATIONAL SCIENCE FOUNDATION** to Lohman, D., for “The Evolution and Biogeography of Mimetic Elymnias Butterflies in Southeast Asia (Lepidoptera: Nymphalidae: Satyrinae).”


25. $240,000 **NATIONAL SCIENCE FOUNDATION** to Zajc, B., for “Chemical Methodologies to Regiospecifically Fluorinated Organic Compounds.”

26. $229,500 **NATIONAL INSTITUTES OF HEALTH** to Wallman, J., for “Is Saccade Adaptation Driven by Reinforcement?”

27. $200,000 **NEW YORK STATE ERDA** to Banerjee, S. and Steingart, D., for “Flow Assisted Nickel-Zinc Battery for Hybrid Vehicle Applications Development and Demonstration.”


29. $186,000 **NATIONAL SCIENCE FOUNDATION** to Crouse, D., for “NSF IUCRC Metamaterials.”
30. $165,598 DEPARTMENT OF ENERGY to Gunner, M., for “Studies of Photosynthetic Reaction Centers and Biomimetic Systems.”


32. $157,000 SOTERIX MEDICAL INC to Bikson, M., for “Targeted Transcranial Electro-Therapy Device to Accelerate Stroke Rehabilitation.”

33. $139,657 DREXEL UNIVERSITY to Piasecki, M., for “Waters: Evaluating Community Models & Observation Networks Under Uncertainty Within Susquehanna River Basin.”

34. $132,035 NEW YORK CITY MAYORS OFFICE to Mackey-McGee, S. and Baldi, C., for “Adult Literacy Program.”

35. $130,000 COULTER FOUNDATION to Bikson, M., for “Early Career Translational Research Award – Phase II.”

36. $123,500 NEW YORK CITY DEPARTMENT OF EDUCATION to Fosnot, C., for “Mathematics in the City.”

37. $120,000 NATIONAL SCIENCE FOUNDATION to Vitkalov, S., for “Quantal Heating of 2D Electrons in Crossed Electric And Quantizing Magnetic Fields.”

38. $115,000 NATIONAL SCIENCE FOUNDATION to Marcus, M., for “Collaborative Research: Research in Stochastic Processes.”


40. $109,738 A. EINSTEIN COLLEGE OF MEDICINE to Stark, R., for “Biology of Fungal Melanin.”

41. $109,738 NEW YORK STATE OCFS to Pearsall, B. and Thornton, L., for “Child Care Development Block Grant.”

42. $100,000 NUCLEAR REGULATORY COMMISSION to Kawaji, M., for “New York-Nuclear Research Opportunities Program (NY-NROP).”

43. $100,000 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION to McDonald, K., for “Development of a Satellite-Based Terrestrial Carbon Flux Model in Support of SMAP Carbon Cycle Science.”

JOHN JAY COLLEGE OF CRIMINAL JUSTICE

1. $3,100,000 NEW YORK CITY COUNCIL to Jacobs, A., for “New York City Justice Corps.”

2. $749,623 UNITED STATES DEPARTMENT OF EDUCATION to Altran, S., for “Creating Hispanic Scientists.”

3. $718,796 NEW YORK STATE EDUCATION DEPARTMENT to Guinta, L., for “Vocational Education Program (Perkins IV).”

4. $447,800 NATIONAL INSTITUTES OF HEALTH – NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES to Travis, J., Mellow, J., and Sung, H., for “Project to Build Research Infrastructure and Capacity (BRIC) that Integrates Public Health Research an Criminal Justice Policy Analysis.”

5. $401,811 UNITED STATES DEPARTMENT OF EDUCATION to Texeira, K., for “Upward Bound Program.”

6. $235,467 UNITED STATES DEPARTMENT OF EDUCATION to Gordon, J., for “Ronald E. McNair Post-Baccalaureate Achievement Education Program.”
7. $199,696 UNITED STATES DEPARTMENT OF EDUCATION to Lents, N. and Carpi, A., for “Program for Research Initiatives for Science Majors (PRISM).”

8. $143,196 NATIONAL INSTITUTE OF JUSTICE VIA MARSHALL UNIVERSITY to Petraco, N., for “Interpretation of Ignitable Liquid Residues in Fire Debris Analysis: Effect of Competitive Adsorption, Development of an Expert System and Assessment of the False Positive/Incorrect Assignment Rate.”

9. $142,005 UNITED STATES ARMY RESEARCH OFFICE VIA CARNEGIE MELLON UNIVERSITY to Atran, S., for “Modeling of Adversary Attitudes and Behaviors, a facet of the Larger Initiative led by Carnegie Mellon University, Modeling Cultural Factors in Collaboration and Negotiation.”

KINGSBOROUGH COMMUNITY COLLEGE

1. $19,860,087 UNITED STATES DEPARTMENT OF LABOR to Schulman, S., for “Trade Adjustment Assistance Community College and Career Training: CUNY Career PATH.”

2. $1,225,593 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION to Connolly, H., for “OSIRIS Rex.”

3. $269,448 LEONA M. AND HARRY B. HELMSLEY CHARITABLE TRUST to Suss, S., for “ASAP.”

4. $232,115 UNITED STATES DEPARTMENT OF EDUCATION to Dalpes, P., for “TRIO: Student Support Services.”

5. $232,052 UNITED STATES DEPARTMENT OF EDUCATION-FIPSE to Gomez, D., for “FIPSE Special Focus: Innovative Strategies in Community Colleges for Working Adults and Displaced Workers.”

6. $150,250 NEW YORK STATE OFFICE OF TEMPORARY & DISABILITY ASSISTANCE to Bredikhina, N., for “Venture to Success.”

7. $137,624 NEW YORK STATE EDUCATION DEPARTMENT to Gomez, D., for “Liberty Partnerships Program.”

LAGUARDIA COMMUNITY COLLEGE

1. $746,126 UNITED STATES DEPARTMENT OF EDUCATION (Title V) to Eynon, B., for “Making Transfer Connections.”

2. $328,860 UNITED STATES DEPARTMENT OF EDUCATION to Levine, R., for “Upward Bound.”

3. $320,000 NEW YORK CITY QUEENS BOTANICAL GARDENS to MacKillop, J., for “Green Jobs Training Program.”

4. $269,485 NEW YORK STATE DEPARTMENT OF EDUCATION to Galvin, S., for “Liberty Partnership Program.”

5. $242,233 UNITED STATES DEPARTMENT OF EDUCATION to Farrell, S., for “Veterans Upward Bound.”

6. $153,841 NEW YORK CITY OFFICE OF THE MAYOR to Dick, M., for “Adult Literacy Program.”

LEHMAN COLLEGE

1. $2,000,000 UNITED STATES DEPARTMENT OF EDUCATION to Martinez, H., for “Gaining Early Awareness and Readiness for Undergraduate Programs: South Bronx.”
<table>
<thead>
<tr>
<th>No.</th>
<th>Amount</th>
<th>Funding Source</th>
<th>Recipient(s)</th>
<th>Description</th>
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<tr>
<td>2.</td>
<td>$1,328,155</td>
<td>UNITED STATES DEPARTMENT OF EDUCATION</td>
<td>Martinez, H.</td>
<td>for “Gaining Early Awareness and Readiness for Undergraduate Programs: Bronx.”</td>
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<td>3.</td>
<td>$600,000</td>
<td>NATIONAL SCIENCE FOUNDATION</td>
<td>Wilder, E. and Hurley, D.</td>
<td>for “Numeracy Infusion Course for Higher Education (NICHE).”</td>
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<td>4.</td>
<td>$373,893</td>
<td>NEW YORK STATE EDUCATION DEPARTMENT</td>
<td>Wolfe, M.</td>
<td>for “Workforce Investment Act.”</td>
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<td>5.</td>
<td>$242,250</td>
<td>UNITED STATES DEPARTMENT OF EDUCATION</td>
<td>Rothstein, A.</td>
<td>for “TRIO – Upward Bound: Pathways to College Success.”</td>
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<td>6.</td>
<td>$229,995</td>
<td>UNITED STATES DEPARTMENT OF EDUCATION</td>
<td>Rothstein, A.</td>
<td>for “Lehman College Talent Search.”</td>
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<td>7.</td>
<td>$229,500</td>
<td>STATE UNIVERSITY OF NEW YORK – RESEARCH FOUNDATION</td>
<td>Stanley, C.</td>
<td>for “New York State Small Business Development Center.”</td>
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<td>9.</td>
<td>$212,972</td>
<td>UNITED STATES DEPARTMENT OF EDUCATION</td>
<td>for “TRIO –Student Support Services – Pathways to Success.”</td>
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<td>11.</td>
<td>$186,747</td>
<td>UNITED STATES DEPARTMENT OF EDUCATION</td>
<td>Baez, P.</td>
<td>for “Gaining Early Awareness and Readiness for Undergraduate Programs – CUNY GEAR UP.”</td>
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<td>12.</td>
<td>$135,070</td>
<td>NEW YORK CITY OFFICE OF THE MAYOR</td>
<td>Wolfe, M.</td>
<td>for “Lehman College Adult Learning Center.”</td>
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<td>13.</td>
<td>$121,028</td>
<td>NATIONAL INSTITUTES OF HEALTH</td>
<td>Cheng, H.</td>
<td>for “A Periplasmic Global Regulator, ExoR for Bacterial Invasion of Host Cells.”</td>
</tr>
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<td>14.</td>
<td>$115,000</td>
<td>NATIONAL SCIENCE FOUNDATION</td>
<td>Zheng, Z.</td>
<td>for “Collaborative Research: Genetic and Biochemical Dissection of Plant Sulfate Tranceptor.”</td>
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MEDGAR EVERS COLLEGE

<table>
<thead>
<tr>
<th>No.</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1.</td>
<td>$818,598</td>
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<td>Rodriguez-Dorestant, S. and Gadson, L.</td>
<td>for “Young Adult Borough Center.”</td>
</tr>
<tr>
<td>2.</td>
<td>$500,000</td>
<td>NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT</td>
<td>Rodriguez-Dorestant, S.</td>
<td>for “Steps to Success, Out of School Youths.”</td>
</tr>
<tr>
<td>4.</td>
<td>$408,228</td>
<td>NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT</td>
<td>Rodriguez-Dorestant, S.</td>
<td>for &quot;Beacon Center at IS 323.&quot;</td>
</tr>
<tr>
<td>6.</td>
<td>$345,396</td>
<td>NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT</td>
<td>Rodriguez-Dorestant, S.</td>
<td>for &quot;PYE Beacon.&quot;</td>
</tr>
</tbody>
</table>
7. $343,494 NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT to Rodriguez-Dorestant, S., for “Beacon Flatbush.”

8. $335,914 NEW YORK STATE EDUCATION DEPARTMENT to Schrader, C., for “Carl D. Perkins Career and Technical Education Act-CTEA.”


10. $300,000 UNITED STATES DEPARTMENT OF EDUCATION to Nagarkatte, U. and Yao, H., for “Minority Science Improvement Program Cooperative Grant with Queensborough Community College.”

11. $250,000 UNITED STATES DEPARTMENT OF EDUCATION to Schrader, C., for “Predominantly Black Institutions Program.”

12. $207,122 NIH-NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCE (NIGMS) to Catapane, E., for “Medgar Evers/Kingsborough Bridge Program.”

13. $200,000 UNITED STATES DEPARTMENT OF EDUCATION to Nagarkatte, U., for “Minority Science Improvement Program Institutional Grant.”

14. $144,156 NEW YORK STATE EDUCATION DEPARTMENT to Schrader, C., for “SMART Scholars-Early College High School Program.”

15. $101,250 NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT to Rodriguez-Dorestant, S., for “OST Program for High School Youths.”

NEW YORK CITY COLLEGE OF TECHNOLOGY

1. $1,279,216 NEW YORK STATE EDUCATION DEPARTMENT for “Perkins IV.”

2. $615,283 UNITED STATES DEPARTMENT OF EDUCATION-Title V (Year 2) to Smale, M., for “A Living Laboratory: Revitalizing General Education for a 21st Century College of Technology.”

3. $153,042 NATIONAL ENDOWMENT FOR THE HUMANITIES to Hanley, R., for “Landmarks: Along the Shore II.”

4. $149,156 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (Year 2) to Gailani, G., for “Achieving Proficiency in Engineering Research and STEM Education Through NASA Initiatives.”

5. $134,999 NEW YORK STATE EDUCATION DEPARTMENT (Year 2) for “Smart Scholars.”

QUEENS COLLEGE

1. $3,100,000 UNITED STATES DEPARTMENT OF ENERGY to Markowitz, S., for “Former Worker Surveillance Program.”

2. $987,284 NORTH SHORE/LONG ISLAND JEWISH MEDICAL CENTER to Markowitz, S., for “World Trade Center Health Program.”

3. $683,572 NATIONAL INSTITUTES OF HEALTH to Halperin, J., for “Neuro-development Perspective on ADHD.”

4. $303,400 NATIONAL INSTITUTES OF HEALTH to Boissinot, S., for “Population Genomics of LINE Retrotransposons in Vertebrates.”

5. $250,000 UNITED STATES DEPARTMENT OF EDUCATION to Wang, P., for “Project – Culturally Aligned and Responsive Early Intervention, (Project I-Care).”
6. **$245,072 NATIONAL SCIENCE FOUNDATION** to Huenerfauth, M., for “HCC: Medium: Collaborative Research: Generating Accurate, Understandable Sign Language Animations Based on Analysis of Human Signing.”

7. **$190,385 NATIONAL INSTITUTES OF HEALTH** to Sneed, J., for “Vascular Depression in African Americans.”

8. **$179,487 NATIONAL SCIENCE FOUNDATION** to Pekar, S., for “Collaborative Research: An Ultra-High Resolution Holocene Climate Record from a Varved Sediment Sequence from the Adelie Coast, Antarctica (IODP).”

9. **$150,000 NATIONAL SCIENCE FOUNDATION** to Pekar, S., for “Expedition Objective Research: Investigating Antarctic Cryosphere Changes at Wilkes Land During the Oligocene and Presumed ‘Stable’ Icehouse World of the Late Miocene.”

**QUEENSBOROUGH COMMUNITY COLLEGE**

1. **$495,000 INSTITUTE OF MUSEUM AND LIBRARY SERVICES** to Bateman, K. and Lannes, P., for “CALTA21.”

2. **$252,230 NEW YORK STATE EDUCATION DEPARTMENT** to Jean-Pierre, P. and Terry, S., for “Liberty Partnership Project PRIZE.”

3. **$201,343 NIH – NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES (NIGMS)** to Schneider, P., for “QCC – Bridges to the Baccalaureate Program.”

**COLLEGE OF STATEN ISLAND**

1. **$1,311,801 NATIONAL SCIENCE FOUNDATION** to Kress, M., for “MRI Instrumentation for Enabling Data Analysis.”

2. **$366,788 NATIONAL INSTITUTES OF HEALTH** to Naider, F., for “Peptide Cell Interactions in Saccharomyces.”

3. **$243,417 NEW YORK STATE EDUCATION DEPARTMENT** to Kijne, H., for “Workforce Investment Act.”

4. **$173,888 NEW YORK STATE EDUCATION DEPARTMENT** to Kijne, H., for “English/Civics Grant.”

5. **$129,553 NEW YORK CITY OFFICE OF THE MAYOR** to Kijne, H., for “Adult Literacy Program.”

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

In June of 2011, public higher education financing legislation adopted by the New York State Legislature and approved by the governor was signed into law. The legislation requires that the CUNY Board of Trustees adopt a tuition plan by November 30th of this year setting forth tuition rates for the period commencing with the 2012 academic year and ending in the 2015 academic year. The board’s Committee on Fiscal Affairs has made such a recommendation and it is on the calendar for consideration later this evening.

The plan provides a critical component of the CUNY Compact, the public higher education leveraging model for which we have vigorously advocated for almost a decade. We supported the CUNY Compact in order to ensure funding stability, the enhancement of the University’s programmatic priorities, our ability to maintain the access demonstrated by record-breaking student enrollments, and the protection of our faculty and staff from the kinds of layoffs that other public higher education systems have experienced in recent years. In light of the $300 million in operating budget reductions CUNY has recently sustained, such layoffs would have been unavoidable without the CUNY Compact.
The legislation enacted in June includes key provisions that bear directly on the University's operating budget. These include: a maintenance-of-effort requirement to assure funding stability year to year during the life of the legislation; and a requirement that revenues generated by any tuition increase go directly to University purposes, rather than to the state's general fund. The tuition plan called for by the legislation provides for a “predictable tuition policy” to replace the large, unexpected tuition increases of the past with modest, predictable increases that families can plan for and that the University can help minimize through public and private financial aid.

Let me review the financial safety net that is already in place and how we plan to further strengthen how the University will protect needy students. The new state law provides that all students fully eligible for the state’s Tuition Assistance Program (TAP) receive a tuition credit for the full amount of an increase when the overall tuition exceeds $5,000. Students who receive partial TAP awards will have a proportionate amount of the increase covered, as well. As indicated in the University's 2013 budget request, we will establish a new CUNY financial assistance program that will provide approximately $5 million for tuition waivers for students at risk of continuing their matriculation; as well as an institutional work-study program, modeled after the federal college work-study program, to increase student jobs at CUNY; and a textbook initiative aimed at reducing the costs of instructional materials.

Last year, $770 million in federal Pell grants and state-supported TAP grants went to approximately 170,000 CUNY undergraduates. All of you should know that 58% of full-time undergraduates—or nearly six out of 10 full-time students—attended CUNY tuition-free based on the combined availability of these two financial aid programs, and 44% of all undergraduates received sufficient TAP and Pell to cover their full tuition costs. Many students had at least half of their tuition covered and were eligible for a federal tax credit covering the balance of their tuition. All CUNY colleges and professional schools are fully engaged in raising private and alumni support for student scholarships. You recall that we initiated this with a $1.2 billion campaign, which we completed. We are well into the latter stages of a $3 billion campaign, with the domiinant amount of that money eventually going to support students.

Labor unions such as District Council 37, 1199 and CWA provide employee assistance programs to subsidize tuition costs, as do many private employers—from Verizon and American Express, which provide tuition assistance for their workers, to JPMorgan Chase, which offers paid internships at Baruch College and scholarships at Brooklyn College. CUNY also provides an interest-free tuition payment plan to assist students. The plan requires only a small, one-time application fee of $18, reduced to $16.50 for the fall.

With all of this in place, there are still changes that CUNY would like to see in the state’s Tuition Assistance Program. The new state law asks that both CUNY and SUNY conduct a study of the TAP program and make necessary recommendations or proposals. We are already at work on this analysis. Earlier this month, I issued a statement asking that the state’s Tuition Assistance Program be open to undocumented students, a proposal that the New York State Board of Regents and others are pursuing. There are other significant policy options we are interested in, and I have asked Senior Vice Chancellor Marc Shaw to coordinate our review. We are also working closely with SUNY, which adopted its tuition plan last week. I will be meeting soon with Chancellor Nancy Zimpher to follow up on the work of our respective staffs.

Statement of Executive Vice Chancellor and Chief Operating Officer Allan H. Dobrin:
The Chancellor has asked me to do a preliminary review of the removal of demonstrators from Baruch’s 25th street lobby on November 21st. I have reviewed more than a dozen videos—including those taken by students, interviewed CUNY public safety officials and Baruch executives who made the evacuation decision, and was influenced by what I personally saw in the later stages of the demonstration. I think that the Board would be best served by having the events described in context and in chronological order.

Several weeks ago it became clear that the consideration of tuition increases, identification by some students with the Occupy Wall Street protests, and the PSC's announcement that its Welfare Fund could no longer fund adjunct health insurance would cause an increase in protests on campuses and the Board of Trustees’ meetings. We specifically expected protests on November 17th, which was designated by the Occupy Wall Street movement as a National Day of Action, the Board of Trustees’ Public Hearing of November 21st, and today's Board of Trustees’ meeting.
The Chancellor asked me to meet with the University's college presidents by borough and to review the University's priorities and procedures that should be followed during protests. These priorities are first and most importantly ensuring the safety of the University's students, faculty and staff. Second, allowing those who wish to exercise their First Amendment rights to be able to protest and third, respecting the rights of students who are not protestors to pursue their education without interference. The meeting with the presidents included presentations on best practices in public safety, and how to best allow for the opportunity to protest. The meetings lasted between 1.5 and 2 hours each.

On November 17th, protests occurred on seven CUNY campuses. Hundreds of students participated in these protests. There were no injuries and no arrests. On November 21st, in preparation for the Board of Trustees' Public Hearing at Baruch College, three locations were set up to allow for testimony, protest and observation: the meeting room that we are currently in, an overflow room with video and audio, which can hold nearly 200 people, and an area on 25th street. Several hundred protestors marched to Baruch and began protests at the 25th street entrance. They were invited to come inside and to proceed to the overflow room. More than 100 protestors entered the lobby but refused to enter the overflow room. As their numbers continued to grow, entrance and egress to the building was blocked. Scheduled classes were being held that afternoon and evening, and students wishing to enter or leave were being held back.

As some protestors began to sit in the lobby, both Baruch campus and University public safety officials became concerned that public safety was being compromised. We asked the protestors, using voice amplification, to either enter the overflow room or leave the lobby. Many protestors did not comply, and public safety officers were asked to move the demonstrators out of the lobby. As the officers moved forward, with batons across their chests, some demonstrators began to push back. A pushing match ensued and the protestors were moved onto 25th street, where the protest continued. Some protestors were on the balcony above the lobby and some water bottles and paper items were thrown down on the officers. There was no evidence that I saw of officers raising their batons and striking demonstrators.

During and after the incident, 15 protestors were arrested, primarily for trespassing and resisting arrest. Some of the protestors who were arrested were taken to the ground so that they could be put into wrist restraints. The public hearing ended later that evening with no further incidents.

Chancellor Matthew Goldstein continued with his oral report, stating that as an addendum to what Executive Vice Chancellor and Chief Operating Officer Allan H. Dobrin just said, and consistent with the views of this Board and with the views of the administration towards continuous quality improvement, I am going to review the events of the past few weeks and ask for assistance by a reputable and experienced organization to review how we comported ourselves during those protest movements and make recommendations about how we can continuously improve our work, as we see this not going away in a short period of time. I actually started that process this weekend and had a discussion with an organization that is very well versed in such matters. We will go through the normal procurement practices that this University follows. I will report back to the Board with a recommendation shortly after that.

Chairperson Schmidt stated that the Chancellor, with the support of this Board, has led an historic battle for more than a decade to bring the CUNY Compact to fruition. He has done so in the face of very difficult economic times, painful budgetary reductions, and stiff political resistance. By working with governors, mayors, the state legislature and the city council, he has helped achieve in New York what exists in no other state—namely legislatively-mandated budgetary stability, an unprecedented maintenance of effort requirement for both the senior and community colleges, financial aid protection to assist needy students, and a multi-year program of modest predictable revenue increases.

During this same period the Chancellor organized his colleagues from other public higher education systems throughout the United States and hosted two national summits, bringing together the top educational leaders to help mobilize financial support for public higher education. What he is accomplishing here in New York is admired nationally and internationally. Perhaps you will permit me to recall that in a copy of my report on CUNY in 1999 our task force called for “the State and the city to reexamine and reinvigorate the funding process”. That report criticized funding “processes characterized by a one-year time horizon and economic and political unpredictability”. Today we take a huge step forward in breaking that cycle.
In 1999, we also criticized CUNY for not being effective in diversifying its funding base. Just consider how that has changed. There is not an institution anywhere in this country that went from raising less than $50 million a year to raising annually over $250 million a year. At the same time CUNY’s research and related activities more than doubled in the same period, placing the University today at record levels. The Chancellor is leading an unprecedented modernization of CUNY. We now have new graduate and professional schools, the Macaulay Honors College, Schools of Journalism, Public Health, and Professional Studies, a new home for the CUNY School of Law and a New Community College scheduled to open next fall.

We established a new campus in East Harlem and new science and instructional facilities throughout the five boroughs. We saw the dedication of the new John Jay campus this fall and a new Fiterman Hall will open early next year. We are in partnership with great institutions in competing for the opportunity to help build a new applied sciences and engineering campus in New York City, utilizing the extraordinary talents of our faculty, students, and staff.

At the same time, the Chancellor is leading the educational revitalization of CUNY, implementing policies supported by this Board to ease student transfers, raise quality, eliminate impediments to graduation, create pathways to academic success and assure more options for students. This is certainly a work in progress. The CUNY Compact model is now ingrained in state law and provides the foundation for the work that lies ahead. I thank our Chancellor and his team for all they have done working with the Trustees, presidents, faculty, students and friends of CUNY to assure that this University provides the best possible education for the people of our city, state and nation.

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

**NO. 1. CHANCELLOR’S UNIVERSITY REPORT:** RESOLVED, That the Chancellor’s University Report for November 28, 2011 (including Addendum and Errata Items) be approved:

**NO. 2. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the regular Board meetings and Executive Session of September 26, 2011 be approved.

**NO. 3. COMMITTEE ON FISCAL AFFAIRS:** RESOLVED, That the following items be approved:

**A. THE CITY UNIVERSITY OF NEW YORK - FY 2012-2013 UNIVERSITY BUDGET REQUEST:**

RESOLVED, That subject to the availability of resources, CUNY seeks a total of $2.824 billion for the University. This total includes additional funding of $102.5 million for baseline needs and $91.9 million for programmatic increases. At the senior colleges, the total request is $2.057 billion, a $139.9 million increase over the 2011-2012 adjusted level. Of this amount, $78.8 million is for baseline needs and $61.1 million is for programmatic increases. At the community colleges the overall request is $766.7 million, a $54.6 million increase over the 2011-2012 adjusted level. Of this amount, $23.8 million is for baseline needs and $30.8 million is for programmatic increases. This request includes a $300 annual tuition increase over current rates for all full-time undergraduate resident students, and a proportional increase in graduate, doctoral, non resident and per credit rates at both the senior and community colleges to fund programmatic needs.

2011-2012 appropriation levels of $1.917 billion for the senior colleges and $712.1 million for the community colleges and allocation to the various units of the university thereof reflect, per the authority vested in the Chancellery by the Board of Trustees, all budget adjustments reflected in the FY2011-2012 state enacted appropriation for the university.

**EXPLANATION:** With the 2012-2013 Budget Request, the University is proposing the continuation of its approach to the financing of its Master Plan for the education of CUNY students—The CUNY Compact. In CUNY’s budget message, the University seeks to finance its ongoing obligations, including adjunct health insurance needs, with State and City funds and its investment program through a modest increase in public funding, continuing budget restructuring and efficiencies, philanthropy, revenues from enrollment growth and a $300 annual increase in tuition for all undergraduate
resident students. All other tuition rates will be increased proportionally. A portion of the revenues generated from the increased rates will be set aside for financial aid purposes. The University will continue to work with the State and City governments on the major economic challenges affecting all public higher education institutions.

The CUNY Investment Plan imbedded in the Compact offers an economically efficient way to finance CUNY by delineating shared responsibility among partners and creating opportunities to leverage funds. This year, the University's priorities are the hiring of more full-time faculty, and providing support for research, academic enhancements, and student services. The Investment Plan includes the following initiatives:

**STUDENT FINANCIAL ASSISTANCE PROGRAM**

The 2012-2013 Budget Request proposes to set aside $5 million to establish a Student Financial Aid Initiative. This resource will be utilized by colleges to assist those students who will be placed at risk of continuing their matriculation due to higher tuition rates. In addition, this set aside will also be used to reduce the cost of textbooks for CUNY students. This Student Financial Aid Initiative will help students defray the proposed tuition increases and underscores our commitment that no student in need of financial assistance will be denied access to the University.

**FULL TIME FACULTY**

- CUNY’s top priority continues to be the hiring of more full-time faculty. The University requests 400 positions next year to support its ongoing Cluster Hiring Initiative and to enhance high value programs that are poised for national prominence.

- Faculty renewal requires major investment each year because CUNY’s student population continues to grow. CUNY has created hundreds of new faculty positions over the last few years, but still finds itself unable to keep up with the pace of enrollment growth. For the University to make progress toward its goal of building a full-time faculty large enough to teach 70% of instruction, we must increase the pace of faculty hiring.

**NEW COMMUNITY COLLEGE**

- CUNY’s new community college, an effort to develop a new model for associate degree education, one designed to significantly improve timely degree attainment for community college students, continues to make impressive gains. The college is on track to enroll its inaugural class in August 2012. During the past year the college received approval by the New York State Education Department, the New York State Board of Regents, and the Governor. The University is requesting support for the first year of operation of the college, which will include all of the administrative, academic, enrollment management, and student services functions that characterize an excellent college.

**ACCELERATED STUDIES IN ASSOCIATE PROGRAMS**

- The Accelerated Studies in Associates Program (ASAP), conceived in early 2007, is designed to help motivated community college students earn their degrees as quickly as possible, with a goal of graduating at least 50% of students within three years. Key ASAP program features include a consolidated block schedule, cohorts by major, small class size, required full-time study and comprehensive advisement and career development services. Financial incentives include tuition waivers for financial aid eligible students and free use of textbooks and monthly Metrocards for all students. The University is planning a major expansion of ASAP over the next three years, with the goal of reaching an enrollment of more than 4,000 students by fall 2014. The initial cohort for ASAP, began in 2007 with 1,132 students across all CUNY community colleges, has experienced unprecedented success. After three years with ASAP, our fall 2007 cohort realized a graduation rate of 55%.
NURSING / HEALTH PROFESSIONS

- There are 450,000 healthcare jobs in New York City. Nationally, and in the City, many of the fastest growing occupations are projected to be in this sector of the economy. Quality healthcare is dependent on the availability of an educated and well-trained workforce, and CUNY’s responsibility is to prepare a sufficient number of qualified personnel to meet the healthcare needs of NYC residents.

THE DECADE OF SCIENCE

- Under the umbrella of CUNY’s Decade of Science initiative, the University has begun planning and/or construction of new science buildings at several campuses, renovated research and teaching laboratories to create first-class environments for high-end science, purchased new science equipment for research and teaching across the University, and hired new top-level research faculty. The goal of this initiative is to create a sophisticated research environment that will enable the University to attract and retain first-class research faculty and students.

STUDENT SERVICES

- To be successful at the University, students must develop a sense of competence and confidence in their abilities and preparation to do college work. Academic advisement is an essential component to the learning environment and contributes significantly to increasing retention rates. Support services are required to enable students with disabilities to participate in University-wide academic programs and this request seeks enhanced support for this population.

EDUCATIONAL TECHNOLOGY / CUNYfirst

- The importance of effective use of technology at the University cannot be underestimated and the challenges of using technology well cannot be overstated. The University needs to continue to aggressively address the issues of strategic planning and implementation with respect to educational technology, with the objective of providing the best possible instructional resource set to students and faculty. The CUNYfirst project and the complementary investments in new instructional technologies are critical components of CUNY’s strategic goal of becoming the nation’s leading public urban research university.

WORKFORCE DEVELOPMENT

- As the City comes out of a severe economic recession, many New Yorkers are in search of jobs and career opportunities. CUNY is helping those individuals to become more competitive in the labor market and is also assisting employers to find skilled workers. Workforce development programs at the University support individuals studying for degrees, industry licenses and certifications, as well as those who are improving their basic literacy or seeking to earn a GED. These programs also connect directly with employers to fill positions and upgrade workers’ skills.

UPGRADING CUNY’S INFRASTRUCTURE

- Educational quality is directly impacted by the quality of the facilities in which education is provided. Students, faculty, and staff must be supported by a physical, technical, and natural environment that encourages intellectual growth and human interaction. The University is opening new buildings at three campuses next year and seeks funding to cover the expenses that will be needed to operate these new buildings, including technical and public safety staff, as well as equipment and maintenance costs.
The Fiscal Environment for FY2013

- The fiscal climate in the State and City will remain challenging in FY2013. New York State has projected a State budget gap of $3.3 billion. New York City has a projected gap of $2.0 billion.
- As a result of the fiscal condition of the State, CUNY has sustained $300 million in State budget reductions since FY2009, including an $95.1 million reduction in FY2012.
- State base aid for the community colleges has declined by 20% over the last four years while enrollment has grown by 26%.

The FY2013 Budget Request – The CUNY Compact

- Fiscal Year 2012-2013 represents the seventh year of the University's innovative multi-year financing approach — the CUNY Compact. This strategy offers an economically efficient way to finance CUNY by delineating shared responsibility among partners and creating opportunities to leverage funds.
- The CUNY Compact calls for additional public resources to cover the University's mandatory costs and a small share of the investment plan. The remainder of the investment resources comes from philanthropy, restructuring and efficiencies, targeted enrollment growth, and increased revenue from tuition increases.

New York State Agreement on Higher Education

- In June 2011, the State of New York enacted legislation authorizing CUNY to implement a rational tuition policy by increasing its tuition up to $300 annually for five years (through fiscal year 2015-2016).
- A rational tuition policy provides a vital measure of financial stability, which will allow the University to maximize philanthropic support and operational efficiencies and meet record student enrollment.
- It will allow families to plan for the costs of higher education and it protects the neediest students.
- The enacted State legislation requires that a tuition credit be given to those students who are eligible for the State Tuition Assistance Program when the annual tuition exceeds $5,000.

Financial Aid

- The University is setting aside $5 million for financial aid for students who are at risk of not being able to continue their matriculation due to the tuition increase.
- Financial aid initiatives will include:
  1. Tuition Waivers and Scholarships;
  2. CUNY Institutional Work Study;
  3. Assistance with the cost of textbooks.
- Eligible students can also receive up to the maximum Pell award of $5,550.
- As University enrollment continued its ascent to this year’s record levels, CUNY administered about $541 million in Pell grants for 139,609 recipients and $228 million in TAP awards to 100,118 students for the 2010-11 academic year.
The FY2013 Budget Request – The CUNY Compact

Requested Appropriations

<table>
<thead>
<tr>
<th>Source</th>
<th>FY2012 Adopted</th>
<th>Mandatory Needs</th>
<th>Program Request</th>
<th>Total Request</th>
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<tr>
<td>State Aid</td>
<td>$1,224.2</td>
<td>$94.4</td>
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<td>City Aid</td>
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<td>Tuition</td>
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<td>Total</td>
<td>$2,629.3</td>
<td>$102.5</td>
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<td>$2,823.7</td>
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The FY2013 Budget Request – The CUNY Compact

Investment Program Highlights

FY203 Investment Program totals $109.9 million and includes:
- $60.6 million for the Flagship and Research Environment, including $45.5 million for the hiring of 440 additional full-time faculty, $2 million for the new community college, and $2.6 million for the expansion of the Accelerated Study in Associate Programs (ASAP).

FTE Enrollment vs. Full-Time Faculty
### The FY2013 Budget Request – The CUNY Compact

**Total Requested Increases**

<table>
<thead>
<tr>
<th>Category</th>
<th>Senior</th>
<th>Community</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Flagship Environment (Full-time Faculty)</td>
<td>$26.5</td>
<td>$18.1</td>
<td>$44.6</td>
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<td>Decade of Science/Research</td>
<td>$12.5</td>
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<td>Student Services</td>
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<td>Academic Support</td>
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<td>Workforce/Economic Development</td>
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<td>Educational Technology</td>
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<td>Facility Improvements</td>
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<td><strong>Total Programmatic Initiatives</strong></td>
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<td>Mandatory Cost Increases</td>
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<td><strong>Total Budget Needs</strong></td>
<td>$152.4</td>
<td>$60.1</td>
<td>$212.4</td>
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### The FY2013 Budget Request – The CUNY Compact

**Requested Mandatory Increases**

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<tr>
<th>Mandatory Needs</th>
<th>Senior</th>
<th>Community</th>
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<td>Fringe Benefits</td>
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<td>Energy</td>
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<td>Salary Increments/OTPs Inflation</td>
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<td><strong>Total Mandatory Needs</strong></td>
<td>$78.756</td>
<td>$23.775</td>
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### The FY2013 Budget Request – The CUNY Compact

**Financing the Request**

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<th>Funding Sources</th>
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<th>Community</th>
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<td>State/City Aid-Programmatic Initiatives</td>
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<td>Community College State Base Aid Increase</td>
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<td>$15.561</td>
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<tr>
<td>Tuition Increase</td>
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<td>Enrollment Growth*</td>
<td>$8.400</td>
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<td>Restructuring</td>
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<td>Philanthropy</td>
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<td>$10.000</td>
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<td><strong>Total</strong></td>
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<td><strong>$60.075</strong></td>
<td><strong>$212.431</strong></td>
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* Assumes a 1% enrollment increase.

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**Statement of Trustee Peter S. Pantaleo:**

I just have two comments. The detail is obviously of crucial importance. But you know, in engineering there is a noise to signal ratio that we have to worry about. I think with the detail a couple of things actually get lost. That is really just basic fact. The budget proposal that we are putting forward is what this meeting is really about, of which there are constituent parts. The budget proposal we are putting forward is $2.8 billion. As has been mentioned earlier, in the last four years our senior college full-time enrollment increased by 10%. At the same time, the operating budget aid from the state was reduced by $300 million. That is roughly $1,300 per student. That is a lot of reduction in state aid.

I think one of the most significant facts that gets lost in a lot of detail is one that was mentioned in the Chancellor's Report, that financial aid covers full tuition for over 58% of our students, or, 100,000 New Yorkers are receiving a university education free-of-charge. We are not talking about people who would otherwise necessarily have the ability to get a university education, yet 100,000 New Yorkers, in spite of a budget cut of $300 million are getting an education. I know the folks on this Board after three years pretty well and I think the overarching thing we all have in common is the belief in access and quality, that this education is not worth much if it is not accessible by our fellow New Yorkers who absolutely need it. I think when facing a $300 million reduction of funds, being able to maintain 100,000 students at the lowest tuition that is available in state universities virtually anywhere—and I know we have received some data on this—not virtually, but absolutely anywhere, in the most expensive city in the United States, is quite a feat and I think that is extremely important for all of us to remember.

Our budget proposal today that includes a tuition increase has my support not just because it is needed; I support it, Mr. Chairman, because it does not violate the concept of access and quality. I support it because the money that is going to be raised by tuition, is going to be put aside to allow the poorer students to continue to attend CUNY without having to drop out. That is of crucial importance to this Board, individually and collectively, not to violate the concept of access and quality. This budget that we are putting forward, in spite of the retrenchments in aid from the state also includes a morally appropriate and economically necessary approximately $16 million total cost, about $10 million incremental additional cost for adjunct health benefits.
I know of no major university that is raising or attempting to maintain benefits in the face of this type of budget crunch. I did something today that is totally unscientific and the faculty members here and the academics who are schooled in research would be right to say that it is nonsense, but I am going to share it anyway. I googled a couple of simple phrases, one of them was “university budgets” and “faculty layoffs”. Allowing for a lot of redundancy I got 287,000 hits. The fact of the matter is surviving this economy without doing violence to the students and in fact increasing faculty numbers and maintaining benefits for adjuncts is something that I think is not only commendable, but it sort of defies the mass that I am looking at. I am not quite sure how we are going to do it, but I commend both the administration and this Board for considering doing that.

Everybody on this Board wants to protect the poorest of our students. Everyone on this Board wants to protect access and quality and no one on this Board knows where we are going to get the $300 million that was taken away. I think it is a burden that will be largely met by additional financial aid and some of the creative methodologies that are being employed to ensure that money will be set aside to offset the impact of this. I commend both the administration and this Board for getting through this very difficult period and allowing us to have a number of years going forward with some semblance of financial stability while filling the holes in our full-time faculty ranks. That is the reason why I am personally going to support and urge members of this Board to also support the proposed budget request including the adjunct faculty health care benefits and the rational tuition policy that is incorporated in it.

Statement of Vice Chairperson Philip Alfonso Berry:
One of the things that is so critical during this time, Mr. Chairman, in dealing with the dire situation that we are facing is to have the appropriate amount of leadership that helps to guide us in the right direction. Certainly the Chancellor and his team have exhibited and are exhibiting that type of leadership by providing a safety net using the combination of resources at our disposal in order to help those students who are most in need. The fact is that when I look at the system that we are now in and when I was a student there were probably maybe 170,000 students at that time. Now we are able to have an institution that handles over 250,000 students and 58% of our full-time students are receiving some form of financial aid, which is extremely important.

The safety net is important, but even more critical is having a strategy in place that enables us to handle the storms that will always be facing us in this economic time. That is why the Compact is so critical and so important because it does not just rely upon one source, it looks at a number of different leverage points that we can use in order to help us to manage the system that is in front of us. That leadership is important and this budget is exemplary of the type of leadership that is expressed, and also it symbolizes the caring that I would underscore what Trustee Pantaleo said, that there is not one Trustee who is on this Board who really does not care about students and does not care about the well-being of students and also providing the type of education and the environment for individuals to not only just survive but to thrive.

We have taken leadership at The City University of New York in ensuring that the Pell grants are maintained. That is one of the things that we have done and it is one of the things that also enables us to provide more leverage. Mr. Chairman, I support the budget proposal, and I support our actions. I feel that they are prudent, necessary, and strategically aligned to help us to maintain and to build the type of institution or educational system that we know will help us to move forward.

Statement of University Student Senate Chair and Trustee Kafui Kouakou:
I am pretty much in favor of all the work the Board has been doing in the past, and I know the Chancellery is always trying their best to make CUNY affordable and also provide a good education. At the same time, as the student leader, I have to make sure I put it out there that I am not going for the tuition increase. I am voting against it and I have a very clear reason for that. This Board has been put on the hot seat by the state, because the state is supposed to be the one funding education. It is because they made cuts to CUNY, that we are sitting here discussing this issue. As of right now, we have students outside protesting because they do not want any tuition increase and this has been happening for the past week. Why would we be in the hot seat when the state refused to do their job, which is to balance their budget and make sure that they provide all the funding that CUNY needs? It is because they failed to do so that we are here.
As a wise man once told me, education should be considered as an investment from the state. Investment means that you invest in education. People go to school, they get degrees, they start working in the state and they will pay taxes and the higher they go up the ladder in education, the more taxes they will pay. That is the investment the state should be making, however, the state is failing to do so and trying to balance their budget on the backs of the students and I am pretty much against that. Personally, I am not the type to make noise without any solution. What I see going forward is that we have to vote no right now as a Board to this increase just to send a clear message to the state, do your job, do not make cuts to education. That is the message you have to send to the state, because once they start doing their job, we will not be sitting here discussing these issues.

Regardless of the outcome of this vote, I am doing my part of the job, meaning right now I am talking with Vice Chancellor Frank Sánchez, to make sure that we try to create more scholarships opportunities for students for example. We are working jointly to create a scholarship website for all CUNY students so they can go on that website to have access to many scholarships, instead of going to ten different websites, to apply for scholarships. That is one thing I am trying to do to help my fellow students. On the other hand, I am urging this Board to vote against the tuition hike, to send a clear message to Albany to do their job, and to not put us on the hot seat.

Statement of Trustee Valerie Lancaster Beal:
Mr. Chairman, first of all, I want to thank Trustees Foster and DiMartino who attended and served on the hearing with me last Monday. I wanted to just bring two things up because the most important thing to me is that we always work with true and accurate information. I had the opportunity of reviewing the tapes and while we are all very sympathetic to the issues of the students that were voiced there, there were some statements that were made there that I just wanted to clarify. One was that CUNY’s tuition would be higher than some of the highest tuitions. So I asked the Chancellor and the administration to give me some information because although I sat on the Committee I wanted to make sure that I was making decisions based on true and accurate information. The information that was provided to me was with regard to the tri-state area, meaning New Jersey, Connecticut and SUNY, our four-year tuition is the lowest of all of those entities. So when you compare us with similar tri-state institutions, we have and will continue to have the lowest tuition for our four-year colleges.

When you look at our four-year tuition with regard to other public entities throughout the United States, we are in at about the bottom 10% of all colleges and universities for four years. They are right in there, but not necessarily providing the same services that we do. For our community colleges, Connecticut has a lower community college tuition rate but we are right on par with New Jersey and we are lower than SUNY. We are in about the 50 percentile nationally in community colleges. I wanted that information to be on the record.

I wanted us to be making decisions based upon accurate information, not some of the misleading information that was shared with us during the hearing. Then finally, one could have concluded during the public hearings that this Board was not for funding the adjunct healthcare. Notwithstanding some of the statements that were made at the hearing that is indeed not the case at all. We as a Board, as mentioned several times here today, have been very much in support of that expenditure. I wanted to be on record clarifying some of the incorrect statements that may have been made at that public hearing and to say again that I am proud of the work that this administration is doing in maintaining affordable access to our students.

Statement of Trustee Jeffrey S. Wiesenfeld:
I would add just one footnote, kind of an uncomfortable subtext to all of this. Everyone who has spoken, has spoken about the exceptional care that has been taken to prevent any kind of disservice or disqualification to students. A level of generosity that nobody on the Board has authorized in any grudging fashion, it is with a full heart, it is with a full understanding of the difficulty that so many students have. But at the same time, you have to ask yourself in the middle of all of this, when we are trying to get a rational approach, so that even those who do have difficulty will be made whole through the additional tuition assistance that would be provided, why is there this type of rancor?
There is a subtext to this; this is not simply about the $300. There is a reason that the leadership of the PSC made an issue of health insurance when we were already approving it: It had been known to them that it was being approved. It was done to create a disorder, and creates a bad example for students. We are going to look at the comportment of the University public safety group with respect to what happened last week, but there ought to be a little bit of comportment in those who have to set an example for our students because what this is really about—and I would say to all of those who currently hold office at the state and city level, our public officials and to those citizens of New York who care about public education—this is really about angling as to what will be the face of this University in the post Goldstein/Schmidt era.

What this is really about is that the way this University has conducted itself for the past forty years prior to the arrival of Chairman Badillo and for the last decade Chairman Schmidt and Chancellor Goldstein, for the entire period was not the way this entity operated. It was really subject to a great degree of scorn. Our public comportment, not just from within the administration, but the examples set for the students and then by the students themselves is very critical to the future of this University. The reason I mention public officials and the public in general is they should pay attention to how this University moves forward when that new era comes when this crop of Trustees have run their course legally and there is a larger picture here—because there was no reason with this type of very sympathetic generous and caring alternative to unexpected tuition increases in a predictable form, and making whole the students who cannot afford the tuition—this type of rancor is disingenuous, unnecessary, and it is an amalgam of people who have set a bad example of the amorphous Occupy movement which got involved and other outside forces, it is not the majority of the students of this University and the University should not be tinged negatively by this unnecessary rancor.

B. THE CITY UNIVERSITY OF NEW YORK - REVISED TUITION SCHEDULE FOR DOCTOR OF PHYSICAL THERAPY PROGRAM:

RESOLVED, That The City University of New York adopt a revised schedule of tuition charges for students in the Doctor of Physical Therapy (DPT) Program at The Graduate Center effective with the Spring 2012 semester and as set forth below:

<table>
<thead>
<tr>
<th>Current Rates</th>
<th>Effective Spring 2012 Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Resident</strong></td>
<td><strong>Resident</strong></td>
</tr>
<tr>
<td>Level One:</td>
<td>Level One:</td>
</tr>
<tr>
<td>Full-Time - $3,670 per semester</td>
<td>Full-Time - $4,420 per semester</td>
</tr>
<tr>
<td>Part-Time - $415 per credit</td>
<td>Part-Time - $505 per credit</td>
</tr>
<tr>
<td>Level Two: $2,300 per semester</td>
<td>Level Two: $3,050 per credit</td>
</tr>
<tr>
<td>Level Three: N/A</td>
<td>Level Three: N/A</td>
</tr>
<tr>
<td><strong>Non-Resident</strong></td>
<td><strong>Non-Resident</strong></td>
</tr>
<tr>
<td>Level One: $715 per credit</td>
<td>Level One: $805 per credit</td>
</tr>
<tr>
<td>Level Two: $5,110 per semester</td>
<td>Level Two: $5,860 per semester</td>
</tr>
<tr>
<td>Level Three: N/A</td>
<td>Level Three: N/A</td>
</tr>
</tbody>
</table>

All students transition to a lower tuition rate, Level Two, after completing 45 credits in accordance with Graduate Center policy. All students are enrolled full time in this program until graduation. The Level Three tuition schedule is not used for this program.

**EXPLANATION:** The proposed tuition increase is necessary to strengthen the academic curriculum and services to students in the DPT Program. Current tuition is below all other doctor of physical therapy programs in New York State. The increased tuition revenue will be used solely for the support of the DPT Program and will be returned to the participating campuses of the DPT Program (Hunter College and the College of Staten) to enable them to provide direct support to the program including paying for laboratory expenses, increasing faculty to student ratios, development of
and support for additional clinical sites, development of clinical scholars program, and enhancing specialized support for student research and learning experiences. The Graduate Center will continue to provide financial aid funding to assist eligible New York State residents to afford the increase in tuition. New York State Education Law Section 6206 allows the University to charge differential tuition rates as long as there is no differential among like degree programs. The only DPT Program at the University is the CUNY DPT Program. **University Student Senate Chair and Trustee Kafui Kouakou abstained.**

C. THE CITY UNIVERSITY OF NEW YORK - REVISED TUITION SCHEDULE FOR DOCTOR OF NURSING SCIENCE PROGRAM:

RESOLVED, That The City University of New York adopt a revised schedule of tuition charges for students in the Doctor of Nursing Science Programs (DNS) within The Graduate Center effective with the Spring 2012 semester and as set forth below:

<table>
<thead>
<tr>
<th>Current Rates</th>
<th>Effective Spring 2012 Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Full-time Resident</strong></td>
<td><strong>Full-time Resident</strong></td>
</tr>
<tr>
<td>Level One: $3,670 per semester</td>
<td>Level One: $4,470 per semester</td>
</tr>
<tr>
<td>Level Two: $2,300 per semester</td>
<td>Level Two: $3,100 per semester</td>
</tr>
<tr>
<td>Level Three: $910 per semester</td>
<td>Level Three: $1,710 per semester</td>
</tr>
</tbody>
</table>

NB: Part-time tuition rates are not included since all DNS students are full time; non-resident tuition is not included since the number of non-residents in the program is minimal. However, if a non-resident student enrolls, the rate of $100 per credit for full-time and part-time registration will be charged.

**EXPLANATION:** The proposed differential tuition for DNS students of $800 per semester for full-time and $95 per credit for part-time resident students and $100 per credit for full-time and part-time non-resident students is necessary to strengthen the academic curriculum and services available to students in the DNS Program at The Graduate Center. The increased tuition will be used solely for the support of the DNS Program, which may include increased staffing to support student research and research practicum experiences, student recruitment, and enhancing all support for students. The increase in funding will be used to improve not only the quality of the educational programs but also the level of student support services. New York State Education Law Section 6206 allows the University to charge differential tuition rates as long as there is no differential among like degree programs. The Graduate Center will continue to provide financial aid funding to assist eligible New York State residents to afford the increase in tuition. The only DNS Program at the University is the CUNY DNS Program at The Graduate Center. **University Student Senate Chair and Trustee Kafui Kouakou abstained.**

D. THE CITY UNIVERSITY OF NEW YORK - REVISED TUITION SCHEDULE FOR THE DOCTOR OF AUDIOLOGY (AU.D.) DEGREE, THE GRADUATE CENTER OF CUNY:

RESOLVED, That The City University of New York adopt a revised schedule of tuition charges in the form of a tuition differential (TD) for the Doctor of Audiology Consortium Program (Au.D.) effective with the Spring 2012 semester as set forth in the schedule below:
<table>
<thead>
<tr>
<th></th>
<th>Current Rates</th>
<th>Effective Spring 2012 Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>In-State</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Level One:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full-Time – (7 or more credits) $3,670/semester</td>
<td>Full-Time – (7 or more credits) $3,670/semester (base) + $880/semester (TD) = <strong>$4,550/semester</strong></td>
<td></td>
</tr>
<tr>
<td>Part-Time - $415 per/credit</td>
<td>Part-Time - $415/credit (base tuition)+$100/credit (TD) = <strong>$515/credit</strong></td>
<td></td>
</tr>
<tr>
<td>Level Two: Full-Time $2,300/semester</td>
<td>Level Two: Full-Time $2,300/semester(base tuition)+$550/semester (TD) = <strong>$2,850/semester</strong></td>
<td></td>
</tr>
<tr>
<td>Level Three: N/A</td>
<td>Level Three: N/A</td>
<td></td>
</tr>
<tr>
<td><strong>Out-of-State Residents</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Level One: Full and Part-Time: $715/credit</td>
<td>Level One: Full and Part-Time $715/credit(base)+$170/credit (TD) = <strong>$885/credit</strong></td>
<td></td>
</tr>
<tr>
<td>Level Two: Full-Time $5,110/semester</td>
<td>Level Two: Full-Time $5,110/semester(base)+$1,225/semester (TD) = <strong>$6,335/semester</strong></td>
<td></td>
</tr>
<tr>
<td>Level Three: N/A</td>
<td>Level Three: N/A</td>
<td></td>
</tr>
</tbody>
</table>

**EXPLANATION:** The proposed differential tuition will be used to provide direct support to the Au.D. Program to partially offset costs including: those associated with purchase, calibration, and maintenance of audiologic testing equipment and consumable and non-consumable supplies for the Au.D. Program's on-site clinical facilities; professional development activities for students, faculty, clinical supervisors; and student recruitment and support, as mandated by the program's educational accreditation organization. The additional funds will enable the University to continue to meet these mandates and to remain competitive to applicants and faculty locally. The Graduate Center will continue to provide financial aid funding to assist eligible New York State residents to afford the increase in tuition. The Au.D. Program is one of 70 professional doctoral programs in Audiology which is accredited by the Committee on Academic Accreditation in Speech-Language Pathology and Audiology. New York State Education Law Section 6206 allows the University to charge differential tuition rates as long as there is no differential among like degree programs. Finally, the only Au.D. Program at the University is the CUNY Au.D. Consortium Program. University Student Senate Chair and Trustee Kafui Kouakou abstained.

E. THE CITY UNIVERSITY OF NEW YORK - REVISED TUITION AND FINANCIAL AID SCHEDULE EFFECTIVE FALL 2012 THROUGH FALL 2015:

RESOLVED, That effective Fall 2012, the Board of Trustees of The City University of New York adopt a revised schedule of student tuition that includes a $300 annual increase over current rates for all full-time undergraduate resident students, and a proportional increase in graduate, doctoral, non resident and per credit rates at both the senior and community colleges, as reflected below:

On a per semester basis, these include the following increases:
$150 for full-time undergraduate resident students at senior colleges,
$150 for full-time undergraduate resident students at community colleges,
$335 for full-time law school resident students,
$240 for full-time master's resident students except for the following:
$355 for full-time masters in business administration resident students,
$280 for full-time masters in architecture resident students,
$280 for full-time masters in engineering resident students,
$265 for full-time masters in physical therapy resident students,
$315 for full-time masters in social work resident students,
$275 for full-time masters in public administration resident students
$215 for full-time doctoral resident students except for the following:
$315 for full-time doctor of nursing practice resident students,
$260 for full-time doctor of nursing science resident students,
$260 for full-time doctor of physical therapy resident students,
$265 for full-time doctor of audiology students.

And be it further

RESOLVED, That the Board of Trustees authorize the Chancellor to increase tuition by $300 for undergraduate resident students at both the senior and community colleges as follows, and by corresponding proportional amounts for all other tuition categories, each year for the next three years, until 2015-2016. In each of the subsequent years, the University's Budget Request that will be submitted for approval to the Board of Trustees' Committee on Fiscal Affairs will include the annual tuition increase.

Undergraduate Resident Annual Tuition Rates

<table>
<thead>
<tr>
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<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Colleges</td>
<td>$5,130</td>
<td>$5,430</td>
<td>$5,730</td>
<td>$6,030</td>
<td>$6,330</td>
</tr>
<tr>
<td>Community Colleges</td>
<td>$3,600</td>
<td>$3,900</td>
<td>$4,200</td>
<td>$4,500</td>
<td>$4,800</td>
</tr>
</tbody>
</table>

RESOLVED, That the Board of Trustees authorize the Chancellor to make revisions to the City University Tuition and Fee Manual as may be necessary to implement this resolution and to report such revisions at the first regular meeting of the Board of Trustees following the action.

EXPLANATION: In June 2011, the State of New York enacted legislation authorizing CUNY to implement a rational tuition policy by increasing its tuition up to $300 annually for five years (through fiscal year 2015-2016) for full-time undergraduate resident students, beginning with the fall 2011 semester. While overall senior college full-time equivalent enrollments have increased by 9.6% over the last four years, the University's operating budget sustained reductions totaling $300 million during that same period. State base aid for the community colleges has been reduced over 20% over the last four years. Therefore, in order to maintain and further strengthen academic quality and student support services, the recommended increases are necessary. The new State legislation requires that a tuition credit be given to those students who are eligible for the State Tuition Assistance Program when the annual tuition exceeds $5,000. A portion of the revenues generated from the increased rates will be set aside for financial aid purposes. Need based financial aid is but one aspect of the support available to undergraduates at CUNY colleges. An estimated $770 million in combined need-based federal Pell grants and New York State Tuition Assistance Program awards went to some 170,000 City University of New York undergraduates during the past academic year keeping a college education within reach for a record number of CUNY’s neediest students. TAP and Pell provided need-based funds that covered 100 percent of tuition costs last year for more than 90,000 CUNY students. Another 10,000 had at least half their tuition covered by TAP and Pell and were eligible for a federal tax credit covering the balance of their tuition. All told, 44 percent of CUNY undergraduates had their tuition fully covered. Preliminary figures for the current, 2011-12 year indicate at least $763 million in Pell and TAP aid will go to CUNY undergraduates, with some 140,000 students projected to receive at least $509 million in Pell grants and 100,450 to receive $253.6 million in TAP. Additional sources of support and funding for CUNY students result from the efforts by the various colleges to raise private and philanthropic dollars from generous alumni, foundations, friends and other supporters of public higher education in New York City. Under Governor Andrew Cuomo’s recent budget legislation, approved by the New York State Legislature, CUNY’s current funding level will be maintained for five years, supported by predictable tuition increases of up to $300 a year. The state’s TAP program also was enhanced, with a portion of the additional tuition revenue providing full tuition for needy students eligible for the full TAP grant. The enacted state legislation also includes a provision for CUNY and SUNY to conduct studies on the TAP program, which will provide the opportunity for recommendations to further improve student financial aid in New York State. University Student Senate Chair and Trustee Kafui Kouakou voted NO.
In response to University Faculty Senate Chair and Trustee Sandi Cooper’s question, “Did I understand you to say that the students who cannot afford the increase will be supported? I gather not from the $5 million, but from some other source?” Trustee Joseph Lhota responded that The Graduate Center will set aside a portion of the revenues from these increases for any student who may be in harm’s way as a result of the increases, separate from the $5 million that was included in the University’s budget request.

F. THE CITY UNIVERSITY OF NEW YORK - AMENDMENT TO THE 2011 INVESTMENT POLICY:

RESOLVED, That the Board of Trustees approve an amendment to the University’s Investment Policy [“Policy”] adopted in May 2011, revising the Spending Policy [which is Exhibit B] as follows: to permit the Senior Vice Chancellor of Budget, Finance and Fiscal Policy to delegate authority to the Associate Vice Chancellor for Budget and Finance and the University Controller to make decisions regarding an expenditure above the applicable spending rate for non-endowed funds.

EXPLANATION: New York State enacted the New York Prudent Management of Institutional Funds Act (“NYPMIFA”) on September 17, 2010. NYPMIFA makes a number of changes to the law governing how CUNY manages and invests its investment assets and spends from its endowment funds. CUNY Management, in consultation with CUNY’s counsel, outside legal counsel, Skadden, Arps, Slate, Meagher & Flom LLP, and investment consultant, Cambridge Associates, reviewed CUNY’s current Investment Policy-Appendix B, and has recommended certain amendments to permit a more efficient process of implementing Policy, as well as to further clarify the Policy in terms of compliance with NYPMIFA. A copy of the Amended Investment Policy will be on file in the Office of the Secretary of the Board, along with the draft minutes of the meetings of the Fiscal Affairs Committee and the Subcommittee on Investment on October 31 and October 24, respectively.

Appendix B
Spending Policy

The City University of New York (CUNY) Portfolio is a pooled investment vehicle for multiple individual accounts that include both endowed and non-endowed funds. The Portfolio consists of funds received by CUNY for its general purposes, funds received by CUNY for the benefit of a specific CUNY College and funds belonging to one or more of the College Foundations that have chosen to invest in the Portfolio. CUNY’s policies and procedures with respect to spending from the Portfolio shall comply with The New York Prudent Management of Institutional Funds Act (NYPMIFA).

1. Spending Decisions

A. CUNY Funds

"CUNY Funds" in the Portfolio consist of both endowed and non-endowed funds received by CUNY for its general purposes or for the benefit of a specific CUNY College. Decisions with respect to spending from CUNY Funds in the Portfolio shall be made by CUNY’s Board of Trustees on recommendation from the CUNY Subcommittee on Investments (the “Subcommittee”).

In making any recommendation or decision to appropriate funds from a CUNY Fund for expenditure, or to accumulate funds in a CUNY Fund, the Subcommittee and Board must act in good faith with the care that an ordinarily prudent person in a like position would exercise under similar circumstances and must consider, if relevant, each of the following factors:

- The duration and preservation of that fund;
- The purpose of CUNY and that fund;
- General economic conditions;
- The possible effect of inflation and deflation;
- The expected total return from income and appreciation of investments;
- Other resources of CUNY;
Where appropriate, alternatives to spending from that fund and the possible effects of those alternatives on CUNY; and

The principles and policies set forth in this Investment Policy.

NYPMIFA contemplates that decisions to appropriate endowed funds are to be made on a fund-by-fund basis and requires that appropriations from an endowed fund be made in accordance with any specific directives on spending that the donor, in the gift instrument or pursuant to the notice provision of NYPMIFA, has imposed. To ensure compliance with NYPMIFA, CUNY Funds in the Portfolio may be categorized into groups of similarly situated funds for the purpose of allowing the Subcommittee, in accordance with the prudence standard set forth in this Subsection 1A, to make a recommendation to the Board as to the appropriate spending rate that should be applied to each such group of similarly situated funds. For this purpose, CUNY Funds generally will be classified by purpose into the following categories of similarly situated funds: (i) scholarship and fellowship; (ii) academic support; (iii) institutional support; and (iv) instruction. CUNY Funds also may be categorized for this purpose based on spending restrictions imposed by donors in the gift instruments or pursuant to the notice provision of NYPMIFA. The Board, in accordance with the prudence standard set forth in this Subsection 1A, then shall make a decision as to the appropriate spending rate that shall be applied to each such group of similarly situated funds. As part of its deliberations, the Subcommittee periodically shall review the categories of similarly situated funds and the composition of each such group to ensure that such funds are properly classified.

Specific donor directives on spending may preclude classification of a CUNY Fund into any category of similarly situated funds. When making an appropriation recommendation or decision from such a CUNY Fund, the Subcommittee and Board of Trustees shall consider such CUNY Fund separately and appropriations from such Fund will be made in accordance with any specific directives on spending that the donor has imposed.

In order to preserve and enhance the purchasing power of the Portfolio for the benefit of future generations of students, CUNY does not distinguish between endowed and non-endowed CUNY Funds when making appropriation decisions in accordance with the prudence standard set forth above. Given the Portfolio’s multiple participants with varying financial needs, the Senior Vice Chancellor of Budget, Finance and Fiscal Policy or his designee may exercise discretion, should special circumstances warrant, in applying the applicable spending rate determined for a non-endowed fund in accordance with the process set forth above, and may authorize an expenditure above the applicable spending rate. The Senior Vice Chancellor of Budget, Finance and Fiscal Policy may designate one or more members of CUNY Management and Staff to serve as a designee for this purpose and any such decision by a designee shall be reported to the Senior Vice Chancellor of Budget, Finance and Fiscal Policy.

In order to preserve the long-term value of the Portfolio, it has been CUNY’s practice to keep spending from the Portfolio each year at or below 5% of the Portfolio’s average market value. The 5% is determined based on the average market value of the Portfolio for at least the immediately preceding twenty quarters. While the decision to appropriate from a CUNY Fund must be made with due consideration to the above eight factors, the Board and Subcommittee each also will consider this spending guideline, to the extent possible and prudent, when carrying out its responsibilities with respect to determining annual endowment spending.

Decisions to appropriate funds for expenditure from the Portfolio generally will be made by the Subcommittee and the Board on an annual basis at one of the spring meetings of the Subcommittee and Board held prior to the beginning of the new fiscal year on July 1st. The spending rate determined by the Board for each group of similarly situated funds shall apply to all funds in such group during the relevant fiscal year, whether such funds are held by CUNY at the time the appropriation decision is made or received by CUNY subsequent to such decision. At any time during the fiscal year, the Board may meet to reconsider and, if so determined, alter such spending rate decisions.

B. College Foundation Funds

Certain funds in the CUNY Portfolio belong to College Foundations that have chosen to co-invest with the Portfolio for reasons of cost, expertise and efficiency. College Foundation funds invested in the Portfolio are not owned by CUNY and decisions with respect to spending from such College Foundation funds must be made by the Board of
Directors of the respective College Foundation. Policies and procedures with respect to requesting annual distributions from the Portfolio shall be set forth in the Memorandum of Understanding between CUNY and the College Foundation.

In order to preserve the long-term value of the funds it has invested in the Portfolio, each College Foundation, in their spending deliberations, will consider, to the extent possible and prudent, the 5% spending guideline for the Portfolio expressed in Subsection 1A above.

2. Minutes of Spending Deliberations

Both Board and Subcommittee deliberations with respect to spending from the Portfolio shall be recorded in the minutes of the Board and Subcommittee meetings at which such decisions are made. The record of any recommendation or decision to appropriate endowment funds for expenditure shall describe the consideration that the Subcommittee or Board gave to each of the eight factors listed in Subsection 1A of this Spending Policy.

G. (ADDED ITEM) THE CITY UNIVERSITY OF NEW YORK - PURCHASE OF UNARMED SECURITY GUARD SERVICES:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a contract on behalf of the University to purchase unarmed security guard services. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University regulations. The contract shall be available for use by the constituent colleges, and the total estimated annual cost shall not exceed $15,000,000, chargeable to the appropriate colleges’ FAS codes. The contract term shall be five (5) years, from January 2012 through December 2017. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The University will use these unarmed security guard services to safeguard CUNY students, faculty, and staff.

In response to University Student Senate Chair and Trustee Kafui Kouakou’s statement that he received an email this morning from a student on this item because based on the incident that happened last Monday, some students assume that the University wants to get more security guards just to be able “to go against the students or restrain the students or beat them up”, Senior Vice Chancellor and General Counsel Frederick Schaffer responded that these are not additional security guards. The University for a long time has had both its own employees as security personnel and contract services from outside companies. The contracts with the outside companies expired last year and this is a replacement contract for outside services.

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

A. THE CITY UNIVERSITY OF NEW YORK - INTERNATIONAL AND DOMESTIC TRAVEL GUIDELINES FOR SAFETY AND RISK MANAGEMENT:

RESOLVED, That the Office of Academic Affairs; Office of Environmental, Health, Safety, and Risk Management; and Office of the General Counsel, on behalf of the Board of Trustees, issue International Travel Guidelines for Safety and Risk Management and Domestic Travel Guidelines for Safety and Risk Management for The City University of New York.

NOTE: See Appendix B (CUNY International and Domestic Travel Guidelines)

EXPLANATION: As part of its educational offerings, The City University of New York fosters opportunities for students to participate in off-campus domestic and international trips and programs that provide valuable learning experiences. The travel guidelines are designed to ensure the safety of CUNY students on CUNY-sponsored domestic or international trips.
The Guidelines provide requirements and procedures for program development and implementation, campus approval, program director responsibilities, expectations for participant behavior, insurance coverage, and communication in the event of an emergency. The Guidelines also include template forms for program proposals, campus notification, participant consent, emergency contact information, and other resources for program directors and participants.

The proposed Domestic Guidelines apply to any academic credit-bearing or non-credit-bearing CUNY-sponsored trip within the 50 states of the United States, with the exception of local trips within the five boroughs of New York City that utilize public transportation only and do not include high-risk activities. The proposed International Guidelines apply to any academic credit-bearing or non-credit-bearing CUNY-sponsored trip outside the 50 states of the United States. Separate procedures apply to students traveling independently for related academic work as set forth in the International Guidelines.

As best practices for the implementation and oversight of travel programs evolve, the offices that created the guidelines anticipate reviewing them on a regular basis and revising them as needed.

B. COLLEGE OF STATEN ISLAND - LETTER OF INTENT FOR THE DOCTOR OF NURSING PRACTICE PROGRAM:

RESOLVED, That the letter of intent for a proposed program in Nursing Practice leading to the Doctoral degree (DNP) to be offered at The College of Staten Island be approved, effective November 29, 2011, subject to financial ability.

EXPLANATION: as per customary practice, new doctoral programs are presented to the Board twice: at the Letter of Intent Stage and subsequently at the full proposal stage. The proposed program is designed to prepare advanced practice nurses who can provide evidenced-based cost effective high quality care for persons from a wide range of cultural backgrounds, translating research into clinical practice. The curriculum will include diagnosis and treatment of illness or health conditions, advocacy for underserved and culturally diverse individuals and groups, decision making related to personal health, constraining health care costs while maintaining quality of care, health informatics, health education, counseling, coordination of services, and evaluation of treatment outcomes.

A clinical doctoral degree in nursing meets the need of a growing number of nurses who want to excel in practice and it represents the Department of Nursing’s efforts to meet the anticipated requirement by our accrediting organization, American Association of Colleges of Nursing (ACCN), to make the DNP a requirement for entry to practice for advanced practice nursing. In addition, the proposed DNP program is expected to fulfill a strong local, regional, and national need for doctorally prepared advanced practice nurses who can help fill the anticipated shortage of primary care physicians (Mechanic, 2009).

Statement of Trustee Hugo M. Morales:
I want to make sure that when we give nurses the opportunity to diagnose and treat mental illness, we have to make sure that they are sufficiently trained because our treatment usually has two components: supportive psychotherapy which I am not opposed to, but then we have pharmaceutical therapy, meaning that you have to have a real knowledge about medication, how they affect the brain and how they are related to other illnesses. This is a very complicated situation which we physicians have gone through for many years of training to be able to do. Nurses should have a very complete training before they are allowed to use medications. Also, there could be a real problem with the American Psychiatric Association, as they are not even allowing psychologists to prescribe medication.

Statement of Executive Vice Chancellor & University Provost Alexandra Logue:
In New York State, there are very specific regulations about this, which we will be following exactly. In New York State, nurse practitioners are able to prescribe, not other types of nurses, and in order to do that as part of the nurse practitioner training, which includes the proposed DNP program, there must be a course on medications and prescription writing. That is all taken care of according to the regulations of New York State.
C. QUEENSBOROUGH COMMUNITY COLLEGE/YORK COLLEGE - AS/BS IN CHEMISTRY/PHARMACEUTICAL SCIENCES:

RESOLVED, That the program in Chemistry/Pharmaceutical Sciences leading to the Associate of Science/Bachelor of Science at Queensborough Community College/York College be approved effective November 29, 2011 subject to financial ability.

EXPLANATION: The proposed dual/joint AS/BS degree program in Chemistry at Queensborough Community College (QCC) and Pharmaceutical Sciences at York College is a 2+2 partnership that will allow QCC students to transfer seamlessly to York on completion of the associate’s degree. The QCC curriculum will consist of the foundation courses in the sciences and mathematics complemented by a strong general education curriculum. At York students will focus predominantly on pharmacology and advanced chemistry courses. Chemical industries represent a significant portion of the economy in the greater New York area. Thus, the geographical proximity of the two colleges, as well as that of the graduates’ prospective employers offers an additional incentive to QCC students.

Statement of University Student Senate Chair and Trustee Kafui Kouakou:
I am pretty much in favor of those that offer a relationship between our junior and senior colleges and since we have all our presidents down here I will encourage our president to build up those bridges between our junior and senior colleges and I believe the Pathway is going to help a lot, but we still need to see more of those connections, because we do not want that disconnect between our junior and senior colleges. Once our students graduate from the junior colleges, they should not feel like they cannot get into the program at our senior colleges that they were in prior to graduating from their junior college. They can just get into the programs in the senior college and building this relationship will help a lot. So I would encourage our president to work towards that.

D. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - AA IN COMMUNICATION STUDIES:

RESOLVED, That the program in Communication Studies leading to the Associate of Arts degree at Borough of Manhattan Community College be approved effective November 30, subject to financial ability.

EXPLANATION: The proposed program in Communication Studies at BMCC will provide students interested in the liberal arts with a curriculum designed to provide them with skills for direct employment in fields such as advertising, corporate communications, and human resources, as well as one that will easily transfer to a senior college. Coursework in conflict resolution, as well as intercultural, interpersonal, and mass communication, will be complemented by electives in public speaking, business communication and management. The college has established articulation agreements with Brooklyn College and the School of Professional Studies, appealing to both its traditional and non-traditional populations.

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

A. THE CITY UNIVERSITY OF NEW YORK - AMENDMENTS TO THE BYLAWS OF THE BOARD OF TRUSTEES:

RESOLVED, That the Bylaws of the Board of Trustees be amended, as explained below; and be it further

RESOLVED, That the Board of Trustees waive the requirement in Section 5.1 of Article V that amendments to the Bylaws be proposed at a meeting preceding the meeting at which a vote is taken to permit a vote at this meeting in connection with the amendments to the following Sections of the Bylaws: 3.2, 6.1, 6.6, 8.2, 8.12, 9.1, 11.1, 11.2, 11.7, 11.9, 11.36, 11.37, 11.43, 11.47-11.55, 12.2, 15.2, 15.3, 15.5, 15.6, Definitions

NOTE: See Appendix C

EXPLANATION: The current Bylaws contain numerous provisions that are outdated, lack clarity, do not conform to longstanding University practice, or are duplicative of provisions contained in the Education Law or the University’s collective bargaining agreements. Following a careful review of the current Bylaws and consultation with other
University administrators, the General Counsel and Senior Vice Chancellor for Legal Affairs has drafted revised Bylaws that rewrite or remove outdated provisions, delete unnecessary material and conform the Bylaws to current practice. The proposed Bylaws are clearer, easier to work with, and closer to the purpose of bylaws, which generally do not state policy, or work rules, but are a statement of the rules and regulations governing the management of an organization. In addition, there are several substantive changes for the reasons noted below, as well as the addition of definitions. The following is a description and explanation of the amendments, with the exception of those that consist solely of minor editing or removal of provisions that had been included solely for historical reasons.

**Article I - Meetings of the Board.** Sections 1.1 and 1.2 have been amended to add requirements necessary for Board of Trustees meetings to comply with the Open Meetings Law, Public Officers Law §§ 100 et seq. as well as Chapter 98 of the Laws of 2010, a recent statute requiring that CUNY and SUNY make board agendas and subsequent meeting records publicly available on their websites. Section 1.6 has been amended to provide that, in case neither the chairperson nor the vice chairperson is present at a meeting of the Board of Trustees, the chairperson shall designate another trustee to preside at the meeting.

**Article II - Officers of the Board.** Section 2.4 has been amended to explicitly provide that, if the position of chairperson of the Board of Trustees is vacant, the vice chairperson shall exercise all the duties of the chairperson. Section 2.5 has been amended to provide that designees of the general counsel may verify pleadings and sign affidavits in legal proceedings.

**Article III - Committees of the Board.** Sections 3.1 and 3.2 have been amended to update the names of the standing committees of the Board. Sections 3.1 and 3.2 have been amended to comply with Chapter 98 of the Laws of 2010 and the Open Meetings Law with respect to notice of meetings and availability of meeting agendas and subsequent meeting records. Section 3.2 has also been amended to make its provisions concerning the Executive Committee consistent with Education Law § 226, subdivision 2.

**Article IV - The Council of Presidents.** The last sentence of Section 4.2 has been deleted to remove any ambiguity about the fact that the college presidents are responsible directly to the chancellor and through the chancellor to the board.

**Article VI - Instructional Staff.** Article VI has been amended as follows:

- Section 6.1 has been amended to add and delete instructional staff titles to conform to the titles currently being used by the University as well as adding the new titles Chancellor Emeritus, Graduate Assistant D, Adjunct Lecturer (Doctoral Student), Non-teaching Adjunct (Doctoral Student) and Affiliated Professional. The title Chancellor Emeritus was created to enable the Board, in its discretion, to appoint a departing Chancellor to five-year ECP appointment, just as departing Presidents may be appointed to the position University Professor. The title Graduate Assistant “D” is designed to give the Graduate Center another employment option for graduate students eligible for health insurance under the New York State Health Insurance Program (NYSHIP), in order to maximize doctoral student aid. The titles Adjunct Lecturer (Doctoral Student) and Non-teaching Adjunct (Doctoral Student) are titles available only to CUNY doctoral students who are assigned to teach part-time or perform related duties on a part-time basis and who are eligible for health insurance coverage under NYSHIP. The title Affiliated Professional was created to enable the University to establish a formal relationship with individuals who are engaged in professional activities within the University (such as a faculty member under an exchange program who is being paid by his/her home institution), but are not properly in other titles.

- Section 6.2 has been amended to delete old titles and to delete sections that are governed by the PSC-CUNY collective bargaining agreement or the New York State Education Law.

- The non-historical portion of Section 6.4, regarding administrative certificates of continuous employment, has been removed as it is governed by the PSC-CUNY collective bargaining agreement.
• Section 6.5 has been amended to delete the long list of titles that are not eligible for tenure, which must be updated whenever a new title is added, and instead to provide that no instructional staff titles other than those listed in Section 6.2 carry tenure.

• Section 6.6(a) has been amended to clarify that only full-time appointments to the instructional staff must be approved by the Board of Trustees. Section 6.6 (c) has been amended to conform to current University practice. Portions of Section 6.6(e), all of Section 6.6(f) and Section 6.7 have been deleted as the procedures for non-reappointments in faculty titles are governed by the PSC-CUNY collective bargaining agreement. Section 6.6(f) has been amended to make clear that appointments and reappointments to full-time instructional staff positions (rather than all instructional staff positions) are final when approved by the Board.

• Section 6.8 (c) has been amended to delete duplicative material.

• Sections 6.9 through 6.14, which contain procedures for the discontinuation of instructional staff personnel mandated by fiscal exigency, have been deleted as this issue is governed by the University's retrenchment guidelines as well as provisions of the New York State Education Law. Until these Bylaw provisions are incorporated into the University's retrenchment guidelines, they will remain in effect.

Article VII - Academic Due Process. Article VII sets forth the grounds and procedures for removing or suspending members of the instructional staff. In the case of instructional staff covered by the PSC-CUNY agreement, this provision has been superseded by the three-step disciplinary process set forth in the collective bargaining agreement, which culminates in a binding arbitration. Accordingly, Article VII applies only to instructional staff excluded or not otherwise covered by the PSC-CUNY Agreement. The lengthy investigation and hearing process set forth in the current Article VII, with a final determination made by the Board of Trustees, is inappropriate and unnecessary in the case of excluded instructional staff. This provision has accordingly been rewritten to provide that instructional staff (other than members of the executive compensation plan) whose employment is not covered by a collective bargaining agreement, or who are represented by a union at such time that an expired collective bargaining agreement has not been continued by operation of law, shall be subject to such disciplinary procedures as may be adopted by the Chancellor or his/her designee. Until such disciplinary procedures are adopted by the Chancellor or his/her designee, this article shall continue to apply. The revised bylaw also states that, in the event no collective bargaining agreement is in effect, the provisions of Education Law § 6212, subdivision 9 will apply in the case of tenured faculty.

Article VIII - Organization and Duties of the Faculty. Article VIII has been amended as follows:

• Article VIII has been revised to remove provisions relating to the faculty, and duties of faculty, at City College, which are outdated and are set forth in its governance plan. In addition, references to the "Graduate School and University Center" have been revised to refer only to the “Graduate School”, as the University Center is not synonymous with the Graduate School but now encompasses other schools and programs.

• Sections 8.1 and 8.5 has been amended to clarify that administrators with underlying professorial appointments hold faculty rank.

• Section 8.1 and 8.2 have been amended to include the longstanding University practice that a faculty member who is on Travia leave does not retain his/her faculty voting rights. Section 8.2 has also been amended to provide that Distinguished Lecturers and Clinical Professors will have faculty status, and to delete the requirement that Instructors and Lecturers not obtain faculty status until their third year.

• Section 8.7 has been amended to make the section on Faculty/Academic Councils generally applicable to all units of the University and to clarify the composition of the committee on faculty personnel and budget.

• Sections 8.9 and 8.11, relating to college committees on faculty personnel and budget, have been amended to delete college-specific language, to conform the provision regarding the membership of faculty personnel and budget committees to current practice, to clarify the titles as to which the committee makes personnel
recommendations, and to delete language relating to the grievance procedure, which is set forth in the PSC-CUNY agreement.

- Section 8.12 has been amended to make clear that, in communicating the result of the college committee on faculty personnel and budget’s recommendation to the candidate, no reason is to be given for either a negative or positive recommendation and that a negative recommendation is final unless the employee files a successful appeal.

**Article IX - Organization and Duties of Faculty Departments.** Article IX has been amended as follows:

- Section 9.1(e), regarding departmental personnel and budget committees and appointment committees, has been amended to eliminate the distinction between Plan No. One and Plan No. Two, which are not meaningfully different. The section has also been amended to add a provision allowing the president to remove a member of a department personnel and budget committee, for good cause, at the written request of a majority of the members of such committee, with the challenged member having an opportunity to respond.

- Section 9.1(f) has been amended to make a minor change in the composition of the committees on personnel and budget in the Hunter College Campus Schools, in that the representative from the Education Department at Hunter College no longer has to be the chairperson of the department. This will give the Campus Schools greater flexibility.

- Section 9.3(a)(10) has been amended to provide that the department chairperson’s report to the president and the college committee on faculty personnel and budget, regarding a faculty member being recommended for tenure, shall be based on the criteria set forth in that provision, together with those set forth in University policies. The former version of this Bylaw did not include all the relevant University criteria for evaluating candidates for tenure.

- Section 9.5, relating to Duties of Executive Officer in the Graduate School and University Center, has been eliminated, as that topic is addressed in the Graduate School’s governance plan.

- Section 9.6, relating to recruitment, has been deleted as unnecessary.

- Section Sections 9.7 (a) and (b) have been amended to make clear that the appointment process therein is for full-time appointments, and does not apply to adjunct appointments.

- Section 9.8 has been reorganized to read more clearly, and to make clear that faculty members cannot vote on their own promotion.

- Section 9.10 has been deleted, as instructional staff grievances are governed by the PSC-CUNY collective bargaining agreement.

**Article XI - Duties and Qualifications of the Administrative Officers and Members of the Instructional Staff.** Article XI of the Bylaws has been amended as follows:

- Article XI generally sets forth the position descriptions for members of the instructional staff. Because position descriptions are generally not included in an institution’s bylaws, and because many of the position descriptions in the current bylaws are incomplete and out-of-date, Article XI has been amended to remove the descriptions for all titles other than those of Chancellor, Senior University Staff and President. Accordingly, Sections 11.5 through 11.7, 11.9 through 11.55, which contained the other position descriptions, have been deleted.

- Section 11.1 now provides that the minimum qualifications and duties for all other titles in the instructional staff shall be established by the Chancellor or his/her designee, except that any revisions to title descriptions for faculty rank titles shall be approved by the Board of Trustees as a policy item (until the Chancellor or his/her
designee establishes such title descriptions, the descriptions these bylaw descriptions will remain in effect.)

Section 11.1 further provides that the Chancellor or his designee shall establish procedures for waiving the minimum qualifications for instructional staff positions, except for faculty rank titles as to which waivers must be approved by the Board of Trustees. Section 11.1 has also been amended to provide that all title descriptions shall be deemed board policies solely for purposes of the collective bargaining agreement between the university and the union representing the instructional staff, and solely for the purpose of preserving the union’s right to grieve that an instructional staff member is being assigned duties substantially different from those stated in his/her job description.

- Section 11.2 has been amended to give the Chancellor the duty to recommend directly to the board the underlying academic appointment, with tenure, of any president, notwithstanding any other provisions in these Bylaws. The reason for this is to provide the Chancellor with the authority, in connection with the negotiations relating to the appointment of a president, to be able to include an academic appointment as part of the offer.

**Article XII - Salary Schedule Conditions.** Article XII has been updated to reflect current practice. Section 12.2 has been amended to give the Chancellor (rather than the Board of Trustees) the authority to authorize compensation beyond salary paid to any staff member from enterprises connected with a college or the university, unless that compensation is being paid to the Chancellor, in which case it must be approved by the Board. Sections 12.4 and 12.5 have been deleted as unnecessary.

**Article XIII - Leaves.** Article XIII has been substantially shortened by deleting provisions that are contained in the PSC-CUNY collective bargaining agreement or are inconsistent with University practice.

**Article XIV - The Non-Instructional Staff.** Article XIV has been updated to include all titles in the classified civil service of the University and to delete the outdated disciplinary procedure for classified staff, which is now set forth in either the applicable collective bargaining agreement or in the CUNY Personnel Rules and Regulations.

**Article XV - Students.** Article XV has been revised to bring the student conduct and student organization sections into compliance with University practice and applicable law, and to clarify and address issues that have arisen concerning the University’s student disciplinary procedures.

- Section 15.0 has been amended to broaden the provision regarding freedom from discrimination to include all the grounds set forth in the University’s non-discrimination policy.

- Section 15.1 has been amended to clarify that the student conduct standard is that set by the Board, and cannot be added to by other bodies.

- Section 15.2(a) and (c) have been amended to ensure that the University does not prohibit speech protected by the First Amendment, while still setting forth the Board’s expectation that students should be respectful of diverse viewpoints. Section 15.2(b)(3) has been amended to revise the complaint procedure in the case where a person or organization believes that a student organization has violated the code of conduct standard, to provide for an investigation by the chief student affairs officer, rather than a fact-finding hearing under Section 15.3. Under the revised procedure the chief student affairs officer will report his/her results and a recommendation for action to the student government, which shall take appropriate action, and either the complainant or the student organization may appeal the action to the president. Section 15.2(d) has been amended to provide for an appeal from the student elections review committee to the college president.

- Section 15.3 has been amended to bring the student disciplinary procedures in line with the nomenclature now used in the higher education student affairs community, which uses terms like “responsible” instead of “guilty” and “mediation” instead of “conciliation”. In addition, the following substantive changes have been made to the student disciplinary process: (1) Section 15.3(c) has been added to provide a procedure to address student disciplinary charges where the student has withdrawn from a college before disciplinary charges have been adjudicated; (2) Sections 15.3(f)(12) and f(13) have been added to codify the University’s practice that a penalty of dismissal or suspension for one term or more is a university-wide penalty, and that disciplinary
penalties are placed on student transcripts; (3) Section 15.4 has been amended to provide that students may appeal a disciplinary penalty of one term or more (rather than a penalty for more than one term) to the Board Committee on Student Affairs and Special Programs; and (4) Section 15.5 has been amended to provide that the Chairperson of the Faculty-Student Disciplinary Committee shall be a faculty member, and that a quorum must include one student member; (5) 15.6 has been amended to provide that, if a student is suspended because of emergency or extraordinary circumstances, the college has ten business days (rather than seven school days) to hold a hearing.

Article XVII - Definitions. Article XVII has been added to provide definitions for the key terms in these Bylaws.

As a result of extensive review and consultations since notice was provided concerning amendments to the bylaws in the minutes of the meetings of the Board of Trustees for May 2, 2011, June 27, 2011 and September 26, 2011, additional changes have been made. Accordingly, the Board is being requested to waive notice as to those changes in order to bring this process of revision to conclusion at this meeting.

B. THE CITY UNIVERSITY OF NEW YORK - PROPOSED REVISIONS TO THE “GUIDELINES AND PROCEDURES FOR DISCONTINUANCE OF INSTRUCTIONAL STAFF PERSONNEL MANDATED BY FINANCIAL EXIGENCY”:

RESOLVED, That the proposed amendments to the “Guidelines and Procedures for Discontinuance of Instructional Staff Personnel Mandated by Financial Exigency,” as set forth in the attached document, be approved.

EXPLANATION: At its November 28, 2011 meeting, the University’s Board of Trustees will be presented with revised Bylaws for adoption. Among the Articles being deleted from the Bylaws are provisions relating to retrenchment of instructional staff. These provisions are being incorporated, as Board of Trustees’ policy, into the “Guidelines and Procedures for Discontinuance of Instructional Staff Mandated by Financial Exigency” (“Guidelines”), as follows:

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These are the major changes to the “Guidelines.” Other, minor changes include the following:

- The Guidelines were reformatted into a different outline style. Other stylistic changes were made.
- In the Introduction, the word “also” has been added to the second sentence of the fourth paragraph to make it clear that the paragraph is addressing two different scenarios.
- In the first footnote, the list of units within the University has been updated.
- In the third footnote, the reference to the Deputy Chancellor has been changed to Executive Vice Chancellor and Chief Operating Officer.
- In Section 3, references to the Board’s commitment to non-discrimination and affirmative action have been updated.
- In Section 4.8, the Section title has been amended to refer to Graduate Assistants generically.
- In Section 6.2, the language regarding the special retrenchment review committee for Central Office personnel has been updated.
- In Sections 7.3.1.3 and 7.4.1.3, obsolete references to the appointment date of faculty as “normally September 1,” have been deleted.
In Section 7.3.3.10, the reference to the “Office of Faculty and Staff Relations” has been changed to the “Office of Human Resources Management.”

Old Section VIII.C, which stated that there are no special preferences during retrenchment for veterans, volunteer firemen, or employees with disabilities, has been deleted: No change in policy is intended.

References to the Bylaw provisions have been deleted in those instances where those Bylaw provisions have been incorporated into the Guidelines.

C. THE CITY UNIVERSITY OF NEW YORK - NAMING OF THE HELENA RUBINSTEIN CONTINUING EDUCATION SCHOLARSHIP FUND FOR CAREER ADVANCEMENT:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of “The Helena Rubinstein Continuing Education Scholarship Fund for Career Advancement.”

EXPLANATION: The Helena Rubinstein Foundation (the “Foundation”) was established in 1953 by Ms. Rubinstein, who left Poland in 1889 and went on to build an international cosmetics empire that made her one of the world’s most successful businesswomen. The Foundation, which is closing its doors after nearly 60 years of grant-making, was dedicated to Ms. Rubinstein’s vision of improving the quality of life of women and their children. Convinced that education was vital to career development, Ms. Rubinstein made scholarship grants to encourage young women to undertake higher education and to pursue nontraditional careers. The Foundation later broadened its giving to other areas including the arts, community service and health.

Since 2008, the Helena Rubinstein Foundation has supported scholarships for continuing education students at CUNY colleges who are seeking career advancement through yearly grants to the University. As the Foundation undergoes dissolution and final distribution of its assets, it has chosen to make a one million dollar gift to CUNY to endow this scholarship fund. In recognition of this generous gift, the University will name the fund “The Helena Rubenstein Continuing Education Scholarship Fund for Career Advancement.”

D. KINGSBOROUGH COMMUNITY COLLEGE - PROPOSED AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the proposed amendments to the Governance Plan of Kingsborough Community College be adopted, effective December 1, 2011.

EXPLANATION: The proposed amendments to the Governance Plan (“the Plan”) of Kingsborough Community College (“KCC”) are recommended by the College President and were adopted by the College Council on November 23, 2010.

The proposed changes would extend representation on the College Council to currently underrepresented constituencies – adjunct faculty members and retired faculty members. KCC benefits from an experienced cadre of adjunct faculty who attend departmental meetings, avail themselves of faculty development activities and participate in college activities of all kinds. This proposed change in KCC’s Constitution would acknowledge the contributions of adjunct faculty by adding two additional adjunct faculty members to the College Council. Similarly, the College benefits from retired faculty members who continue to show active interest in college concerns and interests. The revised Plan would add one retired faculty member to the College Council.

E. JOHN JAY COLLEGE OF CRIMINAL JUSTICE - NAMING OF THE ELIZABETH AND ARTHUR J. MIRANTE II FACULTY DINING TERRACE:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the faculty dining terrace on the outdoor commons of the new building at John Jay College of Criminal Justice as the “Elizabeth and Arthur J. Mirante II Faculty Dining Terrace.”

EXPLANATION: Arthur J. Mirante II has been a member of the John Jay College Foundation Board, Inc. (“John Jay Foundation”) since 2006, and currently serves as chairman of the development committee, a member of the executive committee, and as a co-chair of the capital campaign committee. Over the last five years, Mr. Mirante and
his wife, Elizabeth, have been among the College’s most ardent supporters, serving as co-chairs of the annual Educating for Justice Gala.

Mr. and Mrs. Mirante have further supported the College with a commitment of $250,000 to the John Jay Foundation. One-hundred fifty thousand dollars of their gift will establish an endowment fund to support the Vera Fellows Program. This permanently restricted gift will help to ensure that this program – a unique internship and academic experience for outstanding undergraduate students at John Jay College who have a demonstrated commitment to social justice and public service – will be available to talented John Jay students for years to come. The College therefore recommends naming the new faculty dining terrace in honor of Elizabeth and Arthur J. Mirante II.

F. QUEENS COLLEGE - NAMING OF THE BARRY S. AND EVELYN M. STRAUCH SCHOLARSHIP ENDOWMENT AND THE BARRY S. AND EVELYN M. STRAUCH CLASSROOM:

RESOLVED, That the Board of Trustees of the City University of New York approve the naming of “The Barry S. and Evelyn M. Strauch Scholarship Endowment” and “The Barry S. and Evelyn M. Strauch Classroom” in Powdermaker Hall at Queens College.

EXPLANATION: The Barry S. and Evelyn M. Strauch Foundation has pledged $129,260 to The Queens College Foundation to fund a scholarship in honor of the 50th anniversary of Evelyn Springer Strauch’s graduation from Queens College. Ms. Strauch is a child of Holocaust survivors and a post-World War II immigrant. This scholarship will provide tuition for an immigrant or first-generation American student pursuing undergraduate studies at Queens College. In recognition of this gift, the College recommends the naming of the scholarship endowment fund and Classroom 351 in Powdermaker Hall at the College in honor of Barry S. and Evelyn M. Strauch.

G. CUNY SCHOOL OF LAW - NAMING OF THE HAMILL FAMILY CLINIC CONFERENCE ROOM:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of “The Hamill Family Clinic Conference Room” at the CUNY School of Law.

EXPLANATION: In 2011, Thomas Hamill and his spouse, The Honorable Bryanne Hamill, an alumna of CUNY School of Law, donated $100,000 to the CUNY School of Law Foundation to establish The Hamill Family Endowed Fellowship. The fund will provide summer fellowships to outstanding students of CUNY’s School of Law who pursue summer internships in the area of children’s rights, working with or on behalf of New York City children or youth who are at risk or in State custody.

In recognition of the Hamill’s generosity, the Law School therefore recommends naming the conference room located on the southwest corner of the fifth floor at 2 Court Square in Long Island City as “The Hamill Family Clinic Conference Room.”

H. CUNY SCHOOL OF LAW - NAMING OF THE SOLOMON SLATKIN CLASSROOM:

RESOLVED, That The Board of Trustees of The City University of New York approve the naming of “The Solomon Slatkin Classroom” at the CUNY School of Law.

EXPLANATION: In 2011, an anonymous alumna donated $100,000 to the CUNY School of Law Foundation in honor of her late grandfather, Solomon Slatkin. Funds from this donation will support summer fellowships for students at CUNY School of Law.

In recognition of this gift, the Law School therefore recommends naming the 24-seat seminar classroom located at the northeast corner of the fifth floor at 2 Court Square as “The Solomon Slatkin Classroom.”
I. THE CITY COLLEGE OF NEW YORK - NAMING OF THE ANNA AND IRVING BRODSKY CLINICAL CHAIR:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of an endowed chair at The City College of New York as “The Anna and Irving Brodsky Clinical Chair.”

EXPLANATION: Bert E. Brodsky is a 1964 economics graduate of The City College of New York, and also holds an honorary Doctor of Humane Letters degree from the College. In 2011 Mr. Brodsky pledged $1,000,000 to endow the College’s first clinical chair at the Sophie Davis School of Biomedical Education, in response to a 1:2 challenge made by Alan Davis through a gift of $500,000 to the City College 21st Century Foundation.

Mr. Davis is the son of Leonard and Sophie Davis, the philanthropists for whom the Sophie Davis School of Biomedical Education was named, and steward of the Davis family’s investments at CCNY. The purpose of Mr. Davis’ challenge was to increase Sophie Davis’ clinical offerings, a critical addition to its students’ medical training.

As a result of Mr. Brodsky’s pledge, City College was able to recruit a talented professional to integrate Sophie Davis' clinical and basic science curricular content. In recognition of his pledge, and in accordance with the agreement made with Mr. Davis, the College requests that an endowed chair be named “The Anna and Irving Brodsky Clinical Chair” in honor of Mr. Brodsky’s parents.

NO. 6. COMMITTEE ON STUDENT AFFAIRS AND SPECIAL PROGRAMS: RESOLVED, That the following item be approved:

A. THE CITY UNIVERSITY OF NEW YORK - POLICY ON CHILD-CARE SERVICES:

RESOLVED, That the Board of Trustees of The City University of New York hereby affirms that the primary purpose of each child care center operating on a CUNY college campus, either as part of the college or as a separate entity, is to provide services to the dependent children of registered, matriculated college students; and be it further

RESOLVED, That if the need for child care services by registered, matriculated college students is being met, and to the extent that space and funding permit, a child care center operating on a CUNY college campus may also provide child care services to non-matriculated part-time college students, subject to the review and approval of the Vice Chancellor for Student Affairs or his or her designee; and be it further

RESOLVED, That if the need for child care given by registered matriculated and non-matriculated students is being met and to the extent that space and funding permit, a child care center operating on a CUNY college campus may also provide child care services to faculty and staff where the charges for faculty and staff children are set at market rates and subject to the review and approval of the Vice Chancellor for Student Affairs or his or her designee; and be it further

RESOLVED, That if the need for child care given to registered matriculated and non-matriculated students and faculty and staff is being met and to the extent that space and funding permit, a child care center operating on a CUNY college campus may also provide child care services to community members where the charges for community members are set at market rates and subject to the review and approval of the Vice Chancellor for Student Affairs or his or her designee.

EXPLANATION: A number of CUNY colleges desire to expand child care services to children of non-matriculated students, to college faculty and staff and community members. The Board of Trustees resolutions that authorized the organization of some of the colleges’ child care centers addressed only service to children of matriculated students, and not service to others. The purpose of this resolution is to clarify and detail the University’s position that although the primary purpose of child care centers operating on a CUNY college campus is to serve dependent children of registered, matriculated college students, centers may serve the children of the college’s non-matriculated part-time students, as well as the children of the college’s faculty and staff and community members, so long as the needs of the dependent children of the college’s registered, matriculated students are being met, and to the extent space and funding permit. Any college that wishes to expand services to include children of registered, non-matriculated
students, faculty or staff, shall submit a proposal to the Office of the Vice Chancellor for Student Affairs for review and approval. Guidelines regarding expansion will be developed and distributed by that Office.

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

**A. THE CITY UNIVERSITY OF NEW YORK - LEASE RENEWAL AGREEMENT AT 25 CHAPEL STREET, BROOKLYN, NY, ON BEHALF OF THE NEW YORK CITY COLLEGE OF TECHNOLOGY:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a fifteen-year lease renewal, for approximately 49,800 rentable square feet of space, at 25 Chapel Street, Brooklyn, New York, on behalf of the New York City College of Technology. The lease renewal shall be subject to approval as to form by the University Office of General Counsel.

**EXPLANATION:** The New York City College of Technology has occupied classroom and office space at 25 Chapel Street in Brooklyn since 2002 pursuant to a lease that will expire in May 2012. Under the existing lease the current base rent is $37.00/SF.

The main terms of the proposed lease renewal are as follows:
- **Term:** Fifteen years to start upon the termination of the existing lease.
- **Area:** 49,800/SF
- **Annual Base Rent:**
  - First Five Year Period: Not to exceed: $1,792,800 ($36.00/RSF) per annum.
  - Second Five Year Period: Not to exceed: $1,892,400 ($38.00/RSF) per annum.
  - Third Five Year Period: Not to exceed: $1,992,000 ($40.00/RSF) per annum.

The Landlord at Landlord cost shall perform certain improvements to the space specified by the University. The Landlord will be responsible for exterior, structural and roof repairs. The University will be responsible for the cleaning and increases in real estate taxes over base year 2012/13.

**B. THE CITY UNIVERSITY OF NEW YORK - LEASE AGREEMENT AT 119 WEST 31ST STREET, NY, ON BEHALF OF THE CUNY SCHOOL OF PROFESSIONAL STUDIES:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a new fifteen-year lease, for approximately 70,000 rentable square feet of space, at 119 West 31st Street, New York, New York, on behalf of the CUNY School of Professional Studies. The lease shall be subject to approval as to form by the University Office of General Counsel.

**EXPLANATION:** The proposed new leased site at 119 West 31st Street will house the CUNY School of Professional Studies (SPS). SPS currently operates out of scattered facilities in Manhattan. The new site will allow SPS to operate out of one centrally located facility that will provide adequate space for its academic and administrative needs.

The main terms of the proposed lease are as follows:
- **Term:** Fifteen years to start upon completion of landlord’s work.
- **Area:** Up to 70,000/RSF of space on three contiguous floors
- **Annual Base Rent:**
  - First Five Year Period: Not to exceed: $2,660,000 ($38.00/RSF) per annum.
  - Second Five Year Period: Not to exceed: $2,800,000 ($40.00/RSF) per annum.
  - Third Five Year Period: Not to exceed: $2,940,000 ($42.00/RSF) per annum.

In lieu of operating escalations, the base rent will escalate at 2.5% per annum. The Landlord will construct the space to the University's specifications. The Landlord will provide certain services to the space including base cleaning and maintenance of the building's mechanical, electrical and plumbing systems. The University will pay its own electric costs and reimburse the landlord for proportional increases in applicable real estate taxes.
C. THE CITY UNIVERSITY OF NEW YORK - HUNTER COLLEGE STUDENT HOUSING AT 1760 THIRD AVENUE:

RESOLVED, That the Board of Trustees of the City University of New York authorizes the General Counsel to execute a 10-year contractual agreement (and related documents) on behalf of the University and Hunter College, with 1760 Realty Owner LLC for use of approximately 40 furnished apartments containing 99 beds in a student housing facility located at 1760 Third Avenue on the Upper East Side in New York City. The agreement shall be subject to approval as to form by the Office of the General Counsel.

EXPLANATION: As the student population grows at Hunter College, demand for housing has expanded beyond the capacity of the College's 600-bed dormitory facility at its Brookdale Campus. In the past, students rented units individually at 1760 Third Avenue. In Spring 2011, Hunter College was approached by The Chetrit Group (which is affiliated with the owner of the building) about renting a block of rooms (containing a mix of double and triple occupancy rooms) in the dormitory facility at 1760 Third Avenue for use by Hunter College and other CUNY students. The College was able to secure an initial rate of $1,188,000, with increases of 2% each year, on a contractual commitment to rent a minimum of 40 apartments. This allows the College to set student pricing at initial monthly rates of approximately $1,000-$1,500, depending on room type. In addition, the College has identified various loan funds that are available to qualified students in the amount of $1,000 per academic year in order to help pay for College housing.

In each room, the landlord will provide electricity, hot and cold water, furnishings (including a TV, cable and internet service), a microwave oven, a refrigerator and a bathroom. The landlord will also provide common area amenities, including a full kitchen, vending machines, furniture, a computer room, and laundry facilities. The landlord will be responsible for cleaning, regular extermination and full student life amenities.

With permission from the CUNY Board of Trustees, Hunter College will continue to provide competitively priced housing in New York City for its student population.

D. THE CITY UNIVERSITY OF NEW YORK - FIVE-YEAR CAPITAL BUDGET REQUEST, FY 2012-13 THROUGH FY 2016-17:

RESOLVED, That The City University of New York Board of Trustees approve a five-year Capital Budget Request for Fiscal Years 2012-13 through 2016-17 of approximately $5.6 billion for major bonded projects authorized by The City University Construction Fund to address critical maintenance, infrastructure, and programmatic initiatives. These projects shall be funded through bonds sold by the Dormitory Authority of the State of New York with debt service payments appropriated by the State of New York and the City of New York, and through bonds sold by the City of New York. The Request also includes approximately $40 million for minor rehabilitation projects funded through the State’s General Fund.

The Request is comprised of: approximately $4.9 billion in new bonded and minor rehabilitation funding requested from the State, $2.0 billion of which is required to complete existing projects; approximately $700 million in new bonded and minor rehabilitation funding requested from the City, $133 million of which is required to complete existing projects; and be it further

RESOLVED, That the Master Plan for the University be and is hereby amended as necessary to provide for the capital proposal.

EXPLANATION: The FY 2012-13 through FY 2016-17 Capital Budget Request includes funds for rehabilitation, major new construction, and capital equipment in support of the University’s mission. As in previous plans, this request focuses on completion of existing projects, and critical health, safety, code compliance, and rehabilitation projects, while recognizing the need for expansion and modernization of facilities as called for in campus master plans. In formulating specific projects under this plan, an effort will be made where possible to leverage available University real estate resources through public-private development.
Every year, the University is required to submit a five-year capital plan to the State Division of the Budget and the City Office of Management and Budget. The FY 2012-13 Request represents an update to the current five-year plan. The projects included in the plan originate at the campuses and are prioritized following Board of Trustees criteria (see Attachment).

In 1998, the State provided the University with a fixed five-year capital plan. When that fixed plan ended in 2003-04, the University was provided with rolling multi-year plans that included both re-appropriated funds that had not yet been bonded and additional new requests. These rolling multi-year plans continued until 2008-09, when the University received a new fixed five-year plan. However, the State recognizes that additional funding may be needed before the close of this new fixed five-year plan. In May 2005, for the first time, the Mayor of the City of New York provided the University with a multi-year appropriation from the City. In subsequent years the Mayor provided additional funds to complete on-going projects as well as match community college funds for critical maintenance provided by City elected officials. The FY 2012-13 Capital Budget Request incorporates City commitments for the community colleges in line with the NYC Office of Management and Budget Commitment Plan.

**Summary of Active and Proposed Capital Projects**

The current Request includes funding for critical maintenance projects, funding to complete previously approved projects that were started with partial funding from prior years, as well as funding for the Chancellor’s Initiatives, technology upgrades, and for administration purposes. Project highlights include:

**Critical Maintenance**: such as health and safety projects, facility preservation, science lab upgrades, mechanical and infrastructure upgrades, ADA and bathroom upgrades, asbestos abatement, and energy conservations projects;

**Funding to Complete Existing Projects**: such as the Performing Arts Center at Brooklyn College and Academic Building I at New York City College of Technology;

**Chancellor’s Initiatives**: such as The Decade of the Sciences and CUNY FIRST;

**Technology Upgrades**: such as information technology improvements to CUNY’s networks and data storage and the purchase of science and educational technology equipment;

**Administration Purposes**: Central Office and campus requests that are necessary to administer and finance CUNY’s capital program.

**Criteria for Prioritization of the FY 2012-13 through FY 2016-17 Request**

1. Critical Maintenance projects to ensure health, safety, security, facilities preservation, and compliance with codes, including ADA and asbestos-related regulations;

2. Individual campus projects that were started with partial earlier funding and need completion of funding;

3. Projects to upgrade existing science facilities and provide new science instruction and research facilities;

4. CUNY-wide technology projects, including infrastructure upgrades, systems engineering, and new equipment;

5. New construction of space needed for academic programs, with projects ranked in order of overall campus space deficiency. Highest priority is assigned to classroom and instructional laboratory facilities and to the replacement of temporary or leased space with permanent space;

6. CUNY-wide projects to meet energy conservation and performance objectives;
7. CUNY-wide and individual campus projects for purposes other than those listed above.

PowerPoint Presentation of Vice Chancellor Iris Weinshall on the CUNY FY 2012-13 Capital Budget Request

<table>
<thead>
<tr>
<th>State Funds - Capital Plan</th>
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<tr>
<td>• $2.7 billion funding received for this five year plan</td>
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<tr>
<td>FY 08-09 $1.8 billion</td>
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<td>FY 09-10 $284 million</td>
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<td>FY 10-11 $319 million</td>
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<td>FY 11-12 $315 million</td>
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<td>FY 12-13 Current Request</td>
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<td>• Seniors $3.3 billion</td>
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<td>• Community Colleges $568 million</td>
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<th>State and City funding spent in last five years ($ in millions)</th>
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<tr>
<td>FY 06-07 FY 07-08 FY 08-09 FY 09-10 FY 10-11 TOTAL</td>
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<td>$205 $290 $429 $666 $614 $2,204</td>
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<th>Critical Maintenance</th>
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<tr>
<td>• FY 2008-09 State starts to fund critical maintenance</td>
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<tr>
<td>• Senior Colleges: $1.1 billion received since FY 2008-09</td>
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<tr>
<td>• Community Colleges: since City agreement in 2009, $200 million matched for Community Colleges</td>
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<th>Critical Maintenance projects initiated since 2007</th>
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<tr>
<td>• Senior Colleges</td>
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<tr>
<td>415 projects initiated, totaling $593M</td>
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<td>• Community Colleges</td>
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<tr>
<td>77 projects initiated, totaling $268M</td>
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<td>(matched funding)</td>
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<th>Senior Colleges – major Critical Maintenance projects underway</th>
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<tr>
<td>• Brooklyn – Ingersoll Hall HVAC</td>
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<td>• CCNY – Shepard Hall Façade Restoration</td>
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<td>• Hunter – Escalator Upgrades</td>
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<td>• Lehman – Central Plant Upgrades</td>
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<td>• NYC Tech – Voorhees Hall Upgrades</td>
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<tr>
<td>• Queens – Science Building HVAC</td>
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<td>• York – Ground Water Infiltration</td>
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Community Colleges – major Critical Maintenance projects underway

- Bronx CC – Utility Upgrades Phases I / II
- Queensborough CC – Electrical Upgrades Ph. I
- LaGuardia CC – Center 3 Façade Replacement
- BMCC – HVAC Upgrades
- Kingsborough CC – Central Boiler Replacement
- Hostos CC – 500 Grand Concourse Renovations of 5th Floor, Roof and Bathrooms

Capital Request FY 12-13

- Five-Year Request total $5.6 billion
  - Seniors $4.3 billion / Community Colleges $1.3 billion
  - State portion $4.9 billion
  - City Mayorality portion $700 million

- Reso-A Request total $91 million

FY 12-13 Request – University Priorities

- Project Priorities
  - Funding to complete existing projects
  - Limited number of new strategic initiatives

- Continue important, ongoing initiatives
  - Critical Maintenance
  - Chancellor’s Initiatives
    - CUNY FIRST
    - Decade of the Sciences

Major projects completed this year

- Hunter: Silberman School of Social Work / CUNY School of Public Health at Hunter
- Graduate Center Apartments
- NY Simulation Center for Health Sciences
- CCNY: Marshak Façade Replacement
- John Jay College: Building Expansion

Major projects scheduled to complete next year

- BMCC: Fiterman Hall Replacement
- Bronx CC: North Instructional Building
- Lehman: Science Building Phase I
- Hostos: 500 Grand Concourse various upgrades
- Queens College: Kupferberg Arts Complex
- CUNY Law: New Facility in Long Island City
- City Tech: Voorhees Hall renovations

E. KINGSBOROUGH COMMUNITY COLLEGE - BURSAR OFFICE RENOVATION AMENDMENT:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to amend the resolution adopted at the meeting of February 26, 2007 (Cal. No. 1.C.) for the construction to renovate the college bursar office and associated furniture and equipment. The amendment is to authorize an increase in the
approved amount from $370,000 to $1,274,000. The total contract cost shall be chargeable to the City Capital Budget, Project No. KG017-005 and matching New York State Capital funds.

EXPLANATION: In 2007, Kingsborough Community College prepared an in-house design to renovate a portion of the bursar offices with a budget of $370,000 for construction, furniture, and equipment. Since then, the college has reevaluated the scope of the project and decided to expand the scope of the renovation to include the entire bursar office suite. An architecture firm was hired, from CUNY’s Requirements Contracts, to complete the design of the new expanded scope, which resulted in a larger budget of $1,274,000 for design, construction, furniture and equipment. The additional funds have been reallocated from the balances of completed capital projects and state funds have been allocated to match the city funds.

F. THE CITY UNIVERSITY OF NEW YORK - QUEENS COLLEGE RESIDENCE HALL:

RESOLVED, That the Board of Trustees of the City University of New York agrees to provide credit support for the Queens College Residence Hall, known as The Summit, in the form of a support agreement covering shortfalls in debt service and operating expenses and certain other guarantees and indemnities (collectively, the “Guarantees”) and authorizes the General Counsel to execute any documents necessary or related or which may be required in connection with the Guarantees, the Project and the Project financing.

EXPLANATION: The very successful Summit, a 506 bed residence hall on the campus of Queens College, was opened in Fall 2009 and has been essentially fully occupied since its opening. In October 2009, the New York City Housing Development Corporation (“HDC”) refunded and reissued the bonds secured by a two year letter of credit by RBS Citizens Bank confirmed by a letter of credit issued by the Federal Home Loan Bank. The current letter of credit is being extended for a ninety day period which will expire in late January 2012 and cannot be further renewed. In order to continue the financing, the current condition of the market requires that CUNY guarantee to make up any shortfall in rent revenue needed to meet debt service and operating costs, an unlikely possibility. It is expected that Queens College Special Projects Fund and Q Student Residences LLC will cover any shortfall. Only in the event that these sources of funds are insufficient will CUNY be liable under the Guarantees.

NO. 8. EXECUTIVE COMMITTEE: Notice of Action Taken (October 31, 2011), for informational purposes:

A. THE CITY UNIVERSITY OF NEW YORK - SALE OF CUNY HEADQUARTERS BUILDING AT 535 EAST 80TH STREET, NEW YORK, NY:

RESOLVED, That the Executive Committee of the Board of Trustees of The City University of New York authorize the General Counsel to execute a purchase and sale agreement, along with any associated agreements, to effect the sale of the property located at 535 East 80th Street (a/k/a 20 East End Avenue), New York, N.Y. The transaction documents shall be subject to approval as to form by the Office of the General Counsel.

EXPLANATION: In connection with the University’s plans to relocate the offices of the central headquarters to 205 East 42nd Street, the property at 535 East 80th Street will be sold. The University will engage a real estate brokerage firm to coordinate the marketing and sale of the property. After appropriate review and evaluation of all proposals, the University will enter into a contract for sale for the property with the highest bona fide offerer. Proceeds from the sale will be used to offset occupancy costs at 205 East 42nd Street for a five year period, and to purchase state-of-the-art core scientific equipment for use by research scientists throughout CUNY at the Advanced Science Research Center located on the campus of City College of New York.

Upon motion duly made, seconded and carried, the reconvened public meeting was adjourned at 6:00 P.M.

SECRETARY AND SENIOR 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.)
CUNY INTERNATIONAL TRAVEL GUIDELINES

SAFETY AND RISK MANAGEMENT

1. Purpose

The City University of New York encourages its students to participate in international programs that provide valuable learning opportunities. These guidelines are a resource guide to assist faculty and staff in the planning and preparing for health and safety issues that may be encountered while traveling.

While the information in these guidelines covers many different areas, the guidelines are not comprehensive and do not cover all circumstances. The guidelines are intended to prompt program directors to be prepared to maintain the health and safety of our students and prepared to assess and mitigate the potential risks.

Since responsible and accountable planning and preparation is the bedrock of successful international travel and programming, all international programs, including international trips and programs for student affairs or athletics purposes are required to follow these guidelines.

Prior written approval for all programs must be obtained from the campus Chief Academic Officer prior to the commitment of any University resources. Program directors, faculty leaders, and study abroad administrators are expected to seek guidance and input from campus-based safety and risk management offices when envisioning and planning the logistics of a program.

Guidance for procedural administration of international programs as related to student tuition and fees may be found in The CUNY Tuition and Fee Manual (Part III – Tuition, Section G – Guidelines Governing International Programs) at <http://www.cuny.edu/about/administration/offices/la/tuition-fee-manual.html>.

2. International Travel Defined

Trips Covered by These Guidelines

The following guidelines for international travel are for currently enrolled CUNY undergraduate or graduate students participating in CUNY-sponsored trips.

“International travel” is classified as any student travel that takes place outside of the fifty states of the United States of America. Trips to Puerto Rico and other U.S. territories and protectorates are considered international trips that are subject to these guidelines.

For purposes of these guidelines, a “sponsored trip” is any international travel that is (1) sponsored or organized by a University or college office, department, or division, or a recognized and chartered student organization, or otherwise carried out by a CUNY faculty member or administrator in his or her official CUNY capacity, or (2) funded by any monies as may be in the control of the college, the University, or a University/College-related entity, including the CUNY Research Foundation, a college auxiliary enterprise corporation, or a college association/student services corporation. Sponsored trips must be approved by the Chief Academic Officer.

Examples of sponsored trips include: Division of Student Affairs-sponsored field trips; club sports trips; the activities of University-recognized student organizations (in accordance with Article XV, Section 15.2 of the Board of Trustees Bylaws); college association-funded travel; international studies arranged by a CUNY/college office, faculty member, department, or division; and travel in which a recognized and chartered student organization officially represents the University.

CUNY-Affiliated Independent Travel

CUNY-affiliated independent travel is any self-guided international travel by a student for the purpose of pursuing research or internship activities related to academic work at CUNY. CUNY-affiliated independent travel has a unique set of mandatory procedures, which may be found in the boxed text below.
Graduate Student Trips

International travel by graduate students for independent research, internships, practicums, and the like are not considered sponsored trips; however, the student traveling is required to:
1. complete an Independent Travel Notification, Waiver, and Emergency Contact Form and submit it to the Vice President for Student Affairs/Development prior to departure;
2. have CUNY’s international medical and evacuation insurance coverage for the duration of the trip;
3. consult with Student Affairs as soon as s/he is aware that planned travel is to an area with Department of State Travel Warnings or Alerts in effect so that consultation may be sought from the University Office of Academic Affairs and the University Office of Environmental, Health, Safety and Risk Management.

Undergraduate Student Trips

International travel by undergraduate students for independent research, internships, practicums, and the like are not considered sponsored trips; however, the student traveling is required to:
1. complete an Independent Travel Notification, Waiver, and Emergency Contact Form and submit it to the college Study Abroad office prior to departure;
2. have CUNY’s international medical and evacuation insurance coverage for the duration of the trip;
3. consult with home college study abroad office as soon as s/he is aware that planned travel is to an area with Department of State Travel Warnings or Alerts in effect so that consultation may be sought from the University Office of Academic Affairs and the University Office of Environmental, Health, Safety and Risk Management.

Trips Not Covered by These Guidelines

These guidelines do not apply to students who travel internationally to participate in activities that are unrelated to academic work at CUNY. Students who participate in credit-bearing non-CUNY study abroad programs or who enroll directly at foreign academic institutions are also not subject to these guidelines. Guidance provided by CUNY offices in terms of information sharing about available non-CUNY international internships, work, or academic offerings; course equivalency; credit evaluation; or other logistical support does not count as CUNY sponsorship. All CUNY students traveling abroad for reasons unrelated to academic work at CUNY are strongly encouraged to purchase international medical and travel insurance.

If a college department is uncertain if the international travel in question is covered by these guidelines, please contact either the International Education Coordinator in the Office of Academic Affairs at international.ed@mail.cuny.edu or the Office of Environmental, Health, Safety and Risk Management at riskmanagement@mail.cuny.edu.

3. Rules and Requirements for Sponsored Trips

All sponsored trips must meet the following requirements:

  a. **Purpose:** The purpose of the trip must be consistent with the University’s mission, and travel must be planned so as not to create an undue interference with academic responsibilities.

  b. **Prior Approval Required.** To ensure that sponsored trips are consistent with the University’s mission and that student safety issues have been addressed, each trip must be approved well in advance by the relevant campus Chief Academic Officer (CAO). The program director must submit a sponsored trip proposal to the Office of the Provost no less than six (6) months before the proposed trip; the CAO may provide exemptions to the deadline at his/her discretion. See Section 4.

  c. **Program Director.** All sponsored trips must have a designated program director who has overall accountability for development and implementation of the trip. The program director is responsible for handling the logistics of the trip, collecting the required information from the participants, pre-departure orientation delivery, overseeing the health and safety of students, and conducting follow-up activities. The program director must be a full-time faculty member or administrator in the college department that is sponsoring the trip or, in the case of student organization trips, the
faculty or staff advisor to the organization, unless otherwise approved by the campus Chief Academic Officer. See Section 8.

d. Contracts. Administrators, faculty, staff members, departments, offices, students, and student organizations may not enter into or sign contracts related to sponsored trips.

Only the College President, as authorized by the Board of Trustees may sign documents with counterparty institutions in connection with sponsored trips, and no one may sign any contracts, memoranda of understanding (MOUs), letters of intent, letters of understanding, or any other written documents without approval as to form by the Office of the General Counsel. For more information on the approval process for international agreements and for model agreements, please visit <http://www.cuny.edu/academics/programs/international/faculty/director-resources.html>.

As a governmental entity, the University is subject to New York State laws, audits, and public scrutiny. Therefore, only college and university purchasing departments have the authorization to make commitments on behalf of the college/university with international institutions, program providers, and vendors such as hotels, conference sites and transportation companies. The department or office sponsoring international programs or trips must work with the college purchasing department when requesting quotes or procuring items or services. More information can be found on the “Purchasing FAQs” at <http://www.cuny.edu/about/administration/offices/bf/uc/uc-links/FAQs_on_Purchasing_in_CUNY.pdf>.

e. 24/7 Access. Trip participants must have 24/7 access to the program director at the sponsoring CUNY college and program sites abroad. If the program director will not accompany the trip participants abroad, then the program director or designee must be available (by phone or e-mail) to the trip participants at all times during the international travel and activity, and must also be available in the immediate 48 hours before scheduled departure dates of the trip. Trip participants must also have 24/7 access to the designated contact person abroad who is responsible for the trip abroad. The program director must identify the name and phone number(s) for all such responsible contact persons on the International Travel Notification Form.

f. Insurance. All trip participants (students and CUNY faculty and staff) must have international medical and travel insurance coverage for the following benefit areas: accident/medical, evacuation for medical or security reasons, and repatriation of remains. Program directors must enroll all participants in the University’s insurance plan prior to the program departure date(s) and apply the cost to the participants’ program fee. The insurance policy must provide coverage for the insured individual for the entire program period including travel days to and from the destination(s). Program directors must clearly communicate insurance coverage start and end dates with covered participants. Participants who wish to extend their trip dates beyond the insured trip dates are responsible for purchasing extended insurance that covers them throughout their particular travel dates.

g. Ratio. These guidelines recommend that for faculty-led or staff-led CUNY trips there is at least one (1) faculty or staff member for every one to twenty (1-20) students over the age of 18 and one (1) faculty or staff member for every one to five (1-5) students under the age of 18.

h. No Friends or Family. Friends and family of faculty, staff and students are not eligible to participate in sponsored trips, except with the explicit prior written permission of the Chief Academic Officer (CAO). The CAO will provide notification of all instances of friends or family participating in sponsored trips to the Office of Environmental, Health, Safety and Risk Management and Office of the General Counsel.

i. Non-Compliance. Any sponsored trip taken without all of the following: (i) prior approval of the Office of the Provost, (ii) submission to the Office of the Provost of a complete and accurate International Travel Notification Form, participant list, and Emergency Contact Information Sheet, and (iii) collection of an International Travel Participation Waiver, and Emergency Contact Form and proof of insurance from each participant in the trip, or that otherwise violates these guidelines may result in individual and/or organizational discipline as outlined in CUNY Article XV of

1 The University is currently soliciting for a university-wide international insurance provider.
the CUNY Board of Trustee Bylaws <http://policy.cuny.edu/toc/btb/Article%20XV/> or applicable collective bargaining agreements.

4. Procedures for Approval and Implementation of a Sponsored Trip

Program directors are responsible for the health and safety of all participants and must properly plan and prepare for a safe and educational international trip or program. Planning and preparation must include: thorough research about the destination to be visited, local transportation, overnight accommodations, and dining options; creation of a detailed itinerary; and clear communication of plans and expectations with participants. Program directors must bear in mind that the health and safety of the students is of paramount importance in all aspects of the planning. The program director must complete the following steps:

STEP 1 – Prepare a Proposal

Prepare a proposal for the international trip. See page 17 for information that must be included in the proposal. Groundwork for program development and logistics should be well underway prior to submission of a proposal. Proposals for attendance at conferences, especially those for which housing and on-the-ground logistics are pre-arranged, may be submitted as soon as information about the trip becomes available. When developing a proposal:

a. Select the site and identify the various associated risk factors such as the political situation, socioeconomic conditions, and environmental factors (such as air/water quality). Describe the efforts to plan a safe trip, given information known about the location and available infrastructure (for instance, proximity to transportation hubs, medical care, and amenities in the local neighborhood). If possible, in addition to background research found in guidebooks or on the internet, try to speak with experts on or individuals from the country or region in order to learn as much as possible about traveling in that place as well as local laws and customs.

b. Examine U.S. Department of State Consular Information sheets, travel warnings or alerts, and Centers for Disease Control and Prevention (CDC) travel notices. **Programs must not take place in countries with any U.S. Department of State warnings or alerts that warn or strongly urge against travel unless the program director obtains prior written approval from both the University Office of Academic Affairs and the University Office of Environmental, Health, Safety and Risk Management.** (Also see the discussion on “International Education Crisis Management Teams” on page 14). Program directors must register approved programs with the U.S. Department of State so that the group’s presence and whereabouts are known.

c. Make sure the overnight accommodations, such as hotels, the residence halls/dormitories of universities, and homestays are safe and secure. It is recommended that all lodging be vetted through personal site visits by the program director, if possible. If the program director or staff has not previously used or seen the accommodations in person, he/she should obtain full descriptions and multiple pictures and/or videos and thoroughly check reviews and references (including making inquiries regarding the experience of other colleges and universities) during the planning phase. **The NAFSA: Association of International Educators Guide to Education Abroad** provides the following questions when planning safe housing arrangements, which may be helpful to consider: Will students be able to get out quickly in case of fire? Are there smoke alarms present? If the program takes place in a region prone to earthquakes, are the structures built to withstand them? Is there appropriate security present? If students are being housed with host families, has a program staff member visited each home and looked at conditions? Will students have adequate...
quiet places to study? Has the family provided personal references, and has the program director or international host institution checked the references? Is there someone to follow up with the families and students if there is conflict or if they don’t get along?4

d. Identify special requirements or skills required for everyone’s participation on the trip in any specific activities or excursions to be undertaken. Program directors should candidly discuss participants’ physical abilities and the inherent risks of the proposed activities.

Program directors should make all efforts to mitigate risks associated with program-related activities. Program directors are prohibited from scheduling high risk activities like bungee jumping, whitewater rafting, and technical mountain climbing that can put participants in danger. Program directors must inform students that they are prohibited from engaging in such high-risk activities in their free time.

e. Check the climate and weather forecast for the location(s) of the trip and remind all participants to pack and dress appropriately.

f. Identify any potential hazards related to the trip, such as excessive heat or cold, insect-borne diseases, issues with terrain, hazardous plants, and wild animals in the area. Program directors are to provide participants with guidance specific to activities being undertaken. Program directors must submit these guiding directions together with the international trip proposal to the Chief Academic Officer for review.

g. Identify local resources for emergencies, such as medical care, as necessary. In addition to knowing how to access such services, the program director must recognize and be aware that there may be cultural and technical differences in the approach to service provision in a given locale.

h. Anticipate and plan for emergencies such as theft, illness, accidents, medical needs, inclement weather, vandalism, missing persons, etc. (see Section 9 – “Emergency Procedures for Program Directors”) The program director, any international collaborators, and home college administrators need to develop processes in order to determine the best course of action for different unanticipated situations and emergencies. Thinking about the following types of questions may be helpful: Where will you go (or meet) if the group needs to evacuate the country? What will you do if a member of the group is a victim of a crime or is injured? What will you do if a participant goes missing?

i. Most international trips will require round-trip international air travel. Consider if the entire group must fly and arrive together or if the participants may book their own travel, fly separately, and meet at a central location at the destination. If the group is meeting at a central location, program directors must provide directions and guidance on how to get to the meeting place and ways to communicate with each other, such as cell phone numbers or a phone number for the meeting location.

j. Consider transportation methods and time spent traveling in the destination country or region while developing the itinerary to maximize the group’s time in the country.

STEP 2 – Submit the proposal and International Travel Program Proposal Cover Sheet to the Chief Academic Officer no later than six (6) months before the proposed trip. Note that submission of a proposal to the Chief Academic Officer does not mean that a trip has been approved.

The Chief Academic Officer shall meet with the program director prior to the trip to review specific trip details, confirm that these guidelines have been met, and then determine whether or not to approve the sponsored trip. Authorization will be confirmed when the Chief Academic Officer signs the International Travel Program Proposal Cover Sheet. See page 18.

STEP 3 – After the Chief Academic Officer approves the trip, submit the following documents to the campus Chief Academic Officer, the program director’s department, the Office of Public Safety5, the University Office of Environmental, Health, Safety and Risk

Management, and the University Office of Academic Affairs one month to two weeks before participants are scheduled to leave the country; file the original with the CAO and provide copies to the other offices.

a. A fully completed International Travel Notification Form. (see page 19) This form must contain the name of the organization sponsoring the trip, the name of the program director, the program director’s contact information, the travel destination and accommodations, purpose of the trip, number of participants, departure and anticipated return dates and times, and methods of transportation (international and local).

b. A detailed trip itinerary of the day-to-day activities.

c. A list of all participants on the trip, including the program director, students, instructors, chaperones, etc., with their names, local addresses, phone numbers and passport numbers.

d. A fully completed Emergency Contact Information Sheet for each participant. (see page 21) The Emergency Contact Information Sheet shall include a list of participants and the names and phone numbers of the participants’ designated emergency contacts. The Emergency Contact Information Sheet shall be kept on file with the college Office of Public Safety in the event of an emergency during off-hours.

e. A communication tree with the contact information for the appropriate individuals to be contacted abroad and locally within CUNY in case of an emergency.

f. Work with the local Office of Public Safety in developing a protocol to respond to emergency calls from students abroad. The Office of Public Safety will consult the respective personnel at the local campus with emergency response, as the Office of Public Safety is not expected to specialize in addressing international travel emergencies. See Section 9.

If any of the information provided in these documents changes during the trip, the program director must promptly notify the Chief Academic Officer, the program director’s department, the college Office of Public Safety, the University Office of Environmental, Health, Safety and Risk Management and the University Office of Academic Affairs of the changes.

STEP 4 – Collect a signed and notarized International Travel Participation, Waiver, and Emergency Contact Form (see page 22) from each student and enroll the students in an international medical and travel insurance policy no later than ten (10) business days before participants are scheduled to leave the country. If a student is under the age of 18, the International Travel Participation, Waiver, and Emergency Contact Form also must be signed by a parent or guardian and notarized. Program directors must collect signed releases from all students participating in the program.

Participants who do not submit a properly signed and notarized International Travel Participation, Waiver, and Emergency Contact Form or are not enrolled in an international insurance plan may not participate in the sponsored trip.

International Travel Participation, Waiver, and Emergency Contact Forms and insurance information must be kept on file by the sponsoring department or organization for at least six (6) years after the sponsored trip has ended and returned.  

STEP 5 – Inform the international education liaison at the students’ home colleges (if the sponsoring college is not the same as the student’s home college) of student participation in the international program or trip. The list of CUNY international education liaisons may be found at the following <http://www.cuny.edu/academics/programs/international/students/campus-offices.html>.

5. Pre-Trip Communications

Each program director must provide the sponsored trip participants with a mandatory pre-departure orientation to prepare them for the cultural experience and logistical matters related to traveling internationally and for the specific destination(s). The program

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5 Work with the local Office of Public Safety to develop the protocol to respond to emergency calls from students abroad. See discussion about emergency preparedness, Section 9, page 13, “Emergency Procedures for Program Directors.”

6 If a student participant is under the age of 18 at any time during the trip, then the release forms and insurance information must be retained for six (6) years from the date that the student reaches age 18.
Program directors shall communicate with students through meetings, email, and/or other written means regarding the planned itinerary, behavioral expectations, transportation plans, and accommodation details so that all participants are aware of what they can expect. Program directors are to review the following personal safety tips, as applicable, with trip participants:

a. Advise participants to voluntarily disclose any psychological concerns, disabilities, or health issues that may need to be accommodated during the trip. For programs requiring an application process, the medical and health disclosure must take place only after the participant gains acceptance to the program. Sensitive information may be collected and maintained in a sealed envelope to ensure privacy and confidentiality with disclosure to the program director or his/her designee only if necessary. For example, the program will be better able to serve the needs of participants who disclose that they are asthmatic, diabetic, or experience particular drug and food allergies prior to departure.

b. Advise participants that traveling abroad can cause psychological stress, especially as the participants’ daily routine is likely to change. Inform participants about jet lag and sleeping adjustments, change of diet, possible lack of exercise, homesickness, loneliness, language barriers, and culture shock. When participants are placed in homestays with local families or share dorms or hotels with roommates the adjustment to sharing close quarters may be difficult. Encourage participants to find a constructive outlet to work through any possible uneasy feelings or frustrations.

c. Direct participants to carry the following with them at all times: any personal medications that they require, international insurance cards, and emergency contact information cards. (see Emergency Contact Card template on page 30). Remind participants to be mindful of any prescription drug or over-the-counter medication program they take and plan with their medical provider and insurance carrier to ensure an adequate supply for the duration of their time abroad; some prescriptions are not obtainable abroad. Remind participants to use caution when purchasing or using unfamiliar over-the-counter medications.

d. Advise participants that food and water-borne illnesses are a common ailment for travelers in many parts of the world where water sanitation and hygiene are different. Often, diarrhea results from ingesting food or drinks that contain contaminated particles. Program directors should inform participants if the water supply at the international location is potable or if participants should treat water before drinking it (or using it for teeth-brushing). Iced beverages may also not be safe, depending on the water the ice was made with, so caution should be used. Fresh fruits should be washed and peeled carefully. Food prepared without proper hand washing and exposed to flies and bacteria or unrefrigerated for a period of time may become contaminated. Careful attention to food and drink can prevent sickness.

e. Remind participants to take the necessary precautions during times of extreme temperatures. For instance, when it is hot, participants should stay hydrated, wear light clothing, and use sunscreen if there is sun exposure.

f. Advise participants that traffic rules vary in different countries, and remind participants to use caution when crossing busy streets.

g. Remind participants to be aware of stereotypes of U.S. men and women and be familiar with cultural expectations related to gender. Program directors should inform participants about local verbal and non-verbal communication. All participants, particularly female participants, should take note and beware of appropriate behavior and interactions between the sexes and dress appropriately to avoid unwanted attention.7 Encourage all participants to wear culturally appropriate clothing and abide by cultural norms in the region.

h. Advise participants to take precautions to avoid and/or minimize the risk of transmission of sexually-transmitted diseases. The Centers for Disease Control and Prevention (CDC) reports that “the risk of HIV infection for international travelers is generally low and because HIV infection and AIDS are distributed globally, the risk for international travelers is determined less by geographic destination and more by behaviors that put them at risk for becoming infected, such as sexual and drug-using behaviors.”8 Encourage participants to be cautious with non-

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7 For more information, please visit <http://www.globaled.us/irl/forms/UNLVAdviceforWomenTravelers.html>.

medical procedures, such as tattooing or piercing that would require needles. Encourage participants to be mindful of situations where there would be contact with blood or needles in health care settings, such as blood transfusions or insulin injections.

6. **Methods of Transportation**

   a. Program directors must not rent or use vehicles or drive groups of students. Program directors are encouraged to hire reputable commercial transportation or travel agencies to provide transportation services.

   b. Participants must not operate vehicles or transport other students as part of the scheduled trip activities or in their free time.

   c. Participants must not rent or use other motorized modes of transportation, such as motorcycles, scooters or ATVs, unless it is to support a physical disability (e.g., a motorized wheelchair).

7. **Participant Behavior**

Program directors are to inform participants that they are required to follow behavioral expectations.

   a. Participants are representatives of their colleges and of the University, New York City, New York State, and the United States whenever they participate in a sponsored trip. As such, students are expected to conduct themselves appropriately at all times, from departure to return.

   b. All trip participants are required to (a) comply with the standards set forth in the Henderson Rules of Public Order and with applicable University policies, procedures, rules and regulations, understanding that such compliance is important to the success of the trip and to the University's willingness to permit future similar activities; (b) comply with the laws of the country abroad and the rules and regulations of the host institution; (c) assume responsibility for their own actions; and (d) conform their conduct to the standards surrounding the trip, understanding the circumstances of an international activity may require a standard of decorum which may differ from that applicable on campus in New York. Violations of the foregoing requirements may subject participants and sponsoring organizations to disciplinary action pursuant to Article XV of the CUNY Board of Trustee Bylaws. Sanctions could include suspension and expulsion from the respective home college and The City University of New York. Due to the circumstances of foreign study programs, procedures for notice, hearing and appeal applicable to student disciplinary proceedings may not apply. The program director may, with consultation of the home college administrators, dismiss a student at his/her own expense without credit or refund from the University or College of any monies paid for a documented violation of University or program rules.

   c. All sponsored trips are a “CUNY-sponsored activity” and as such, must conform to the CUNY Drug and Alcohol policy, which states, “The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including CUNY residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, is prohibited.” See [http://web.cuny.edu/administration/ohrm/cohr/DrugandAlcoholPolicy.pdf](http://web.cuny.edu/administration/ohrm/cohr/DrugandAlcoholPolicy.pdf).

Drug and alcohol abuse and misuse will not be tolerated on sponsored trips. Violation of local laws and/or CUNY regulations or policies may result in immediate dismissal from the program and academic and/or disciplinary action upon return to campus.

Program directors are required to discuss with participants that alcohol use and misuse while abroad is a risk. Although alcohol may be legal at a younger age abroad, its use and abuse is many times tied to students being victims of crime, violence, accident, and injury. Drug use abroad can result in severe legal and judicial consequences abroad, including arrest and imprisonment in that country.

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10 CUNY Board of Trustee By Laws, Article XV, [http://policy.cuny.edu/toc/btb/Article%20XV/](http://policy.cuny.edu/toc/btb/Article%20XV/).
d. International host countries may be the site of heightened political activity such as strikes and demonstrations. As guests in different countries, participants shall not engage in political activity. Participants may not have the same political freedoms as are experienced in the United States. Program directors must inform participants of the laws of the host country and the consequences of violating those laws. Program directors are expected to explain to participants that they are guests in the country/region to be visited and that they will be perceived by local citizens of the host country/region as representatives of the program, the college, the University, New York, and the United States.

e. Participants in international programs are responsible for their own behavior and any resulting consequences. The College/University shall not be liable for any loss, damage, injury or other consequence resulting from a participant's failure to comply with College/University rules and regulations, the direction of College/University employees, or applicable law. Participants are prohibited from engaging in high-risk activities, such as bungee-jumping, sky-diving, whitewater rafting, etc., even in their free time.

f. The University is committed to maintaining an employment and academic environment free from all forms of exploitation, intimidation, or harassment, including sexual harassment. The City University of New York does not tolerate sexual harassment committed by trip participants (students, faculty, or staff). It is demeaning, offensive, illegal, and prohibited by University policy. For more information on the University's Sexual Harassment Policy, please visit <http://www.cuny.edu/about/administration/offices/ohrm/pdlm/programs/sexual-harass-prevent.html>.

g. Program directors must conduct pre-departure orientations that address many personal safety tips outlined in Section 5: Pre-Trip Communications with participants. Program directors must ensure participants are familiar with the principles set forth in that section.

8. Program Director Expectations

Program directors have many responsibilities before, during, and after the sponsored trip both while at CUNY and while at the international site. Program directors are expected to:

a. verify in the 48 hours immediately preceding the sponsored trip that the U.S. Department of State has not issued any travel warnings or alerts related to the destination(s) to be visited;

b. exchange emergency contact information (phone numbers and email addresses) with participants;

c. be available and on-call at all times (24/7) during the sponsored trip to respond to student participant concerns and problems as needed and in the immediate 48 hours before scheduled departure date(s) of the trip;

d. at all times (24/7) during the sponsored trip possess, in hand, an International Travel Notification Form and a full set of student participant International Travel Participation, Waiver, and Emergency Contact Forms and leave copies of said forms with a designee in New York City;

e. serve as the official university representative in cases of emergency;

f. coordinate emergency response and all communications between and among the college, the University, and the relevant persons and organizations on-site;

g. notify authorities at the local site immediately in the event that one or more student participants cannot be accounted for or is missing;

h. ensure students receive medical attention by trained professionals in case of a medical emergency;¹¹

¹¹ NAFSA’s Guide to Education Abroad For Advisers and Administrators says, “Unless program directors and local staff are fully trained and certified in advanced first aid or licensed medical specialists, they should not provide medical services during a program
i. be familiar with and follow all existing University policy and guidelines, including those on sexual harassment and confidentiality and federal laws and regulations such as FERPA, HIPAA, and the Clery Act; and
d
j. conduct all appropriate follow-up activities, such as completing incident reports.

9. Emergency Procedures for Program Directors

Emergency Preparedness

Program directors must use their best efforts to be prepared for any type of situation during sponsored trips.

Emergency Response

The following guidelines are meant to assist the colleges in thinking through appropriate responses in the event of an emergency. Program directors are required to develop a crisis management protocol that takes into consideration the following key issues:

1. emergency response and rescue;
2. notification of students’ emergency contacts;
3. press and media;
4. legal and liability issues that may arise;
5. stress and psychological issues and effects resulting from an emergency event; and
6. post-incident responses: returning students home, medical treatment, follow-up information and debriefing.

As needed, according to the incident, program directors shall:

a. contact local police or law enforcement to report theft, vandalism, or any other criminal activity;
b. contact the local emergency medical provider for medical emergencies;
c. contact the office of the provost and the office of the vice president of student affairs;
d. contact the central office of public safety, particularly if a student is involved with the police abroad;
e. report all injuries or illnesses to designated campus officials;
f. complete any accident or incident reports within 24 hours to the appropriate campus officials including the office of the provost and the office of the vice president of student affairs; and
g. be prepared to contact appropriate service providers.

Effective communication is critical when responding to an emergency abroad.

a. Communication with the International Program Site

except under the gravest and most critical emergency circumstances. All participation agreements should include language allowing program staff to apply first aid as a last resort before the arrival of emergency medical personnel.” NAFSA: Association of International Educators, NAFSA’s Guide to Education Abroad For Advisers and Administrators. Washington, DC, 2005, p. 578.

The program director must be able to reach the international program site contact person, such as a CUNY faculty member for faculty-led programs, the director of the trip at the host institution, or the director of the third-party program provider, at all times (24/7). The program director or contact person at the international trip site must have access to various forms of communication such as mobile phone, landline phone, e-mail, fax, and in remote locations, satellite phone (if available) in order to communicate with the home campus in New York on its activities and participants’ well-being.

b. Communication within the Home Campus

Best practices within the international education field include campuses establishing a coordinated communications and crisis management plan in order to efficiently and effectively deal with international emergencies. Sponsoring colleges may want to create an “International Education Crisis Management Team” to handle crises or emergencies related to participants or programs abroad should they occur. Members may include:

1. College Chief Academic Officer
2. College Vice President of Administration
3. College Head of Campus Security
4. College Chief Student Affairs Officer
5. Director of College Public Relations (i.e., to address the press)
6. College Legal Representative or Counsel to the President
7. College Director of Study Abroad or College International Education Liaison
8. College Risk Manager

The program director must decide on a communication tree and delegate responsibility for the emergency or crisis to individuals in the International Education Crisis Management Team based on each member’s area of expertise. The international program director must document all emergency incidents and follow-up actions, and include the following information:

- the name of the program;
- the location;
- description of the incident;
- date and time of the incident;
- names of people involved;
- contact information for the people involved (including witnesses);
- name and contact information for the person submitting the report; and
- date and time the report is submitted.

c. Communication with the Central Office

The program director must inform the CUNY Central Office of any critical incidents abroad. Contact the International Education Coordinator in the Office of Academic Affairs at international.ed@mail.cuny.edu or the Office of Environmental, Health, Safety and Risk Management at riskmanagement@mail.cuny.edu

d. Student Access to Assistance
In addition to the student participants having access to the program director, campuses that sponsor international programs may also consider installing a 24-hour emergency assistance hotline at the college for student participants to call at any time. (See page 30 for a template of the wallet-sized Emergency Contact Card to provide to students traveling abroad.)

e. **Missing Participants**

In the event that one or more participants cannot be accounted for at the destination site, authorities at the site must be notified immediately. If a participant cannot be located following an immediate search, then the on-site program director shall contact local police and a senior college administrator and shall make every effort to reach the participant’s emergency contact. A program director shall remain at the site until all participants are accounted for. The program director in consultation with college officials shall determine whether other participants should leave the site. Emergency contacts must be notified and kept updated as to the status of the search for the missing participant(s). This section applies to students, faculty, and staff who may go missing.

f. **Program Participants Who Cannot Continue to Travel**

In the event that a participant is severely injured, requires hospitalization, or experiences another mishap that requires a substantive change to the overall program itinerary, the program director must contact U.S. program staff to determine the best course of action. For example, the program director and other participants must not leave a hospitalized student behind without program assistance.

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**INTERNATIONAL TRIP, TRAVEL, OR PROGRAM PROPOSAL**

Successful international programs, trips, and travel require careful planning that begins far in advance of the actual operation of the program, and sufficient lead time is a crucial factor in the successful recruitment of participants and to provide participants with pre-departure orientation.

Please contact your campus international education liaison for assistance with developing and drafting a proposal and budget. The list of CUNY international education liaisons may be found at the following [link](http://www.cuny.edu/academics/programs/international/students/campus-offices.html).

Include the following items in the International Travel Proposal Coversheet, which is to be approved by the Chief Academic Officer:

1. Title of the program;
2. Name of the program director/requestor;
3. Academic term/program dates;
4. Program site; and
5. Signature of the program director/requestor.

In addition to the cover sheet, the international program proposal must include the following:

A. **Academic purpose of the program**, which includes a rationale for the overseas location of the program and a description of the way(s) the program will complement and/or supplement the on-campus curriculum. If the program proposes a new course, please describe the learning objectives of the experience.

B. **Brief description of the academic program**, which, where appropriate, includes:
   1. course(s), including preliminary syllabus (adaptation of existing course or new experimental course proposal) and general teaching times;
   2. field trips and their relation to course(s) or academic purpose of program and guidelines for health and safety for the program;
   3. guest lecturers;
   4. institutional affiliation;

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13 Courtesy of John Jay College of Criminal Justice Office of International Studies and Programs
5. classroom/academic facilities (e.g., library, computers, etc.); and
6. special projects.

C. Profile of desired participants (e.g., class year, major or minor, etc.).

D. Prerequisite courses, skills or abilities (e.g., language ability, lab experience, etc.).

E. Type of credit students will receive.

F. Brief description of pre-departure preparation/orientation.

G. Brief description of any follow-up activities building on the experience on return.

H. Proposed budget.
INTERNATIONAL TRAVEL PROGRAM PROPOSAL COVER SHEET

Submit this as the cover sheet with your International Travel Proposal to the college Chief Academic Officer.

1. Program Title: ____________________________________________

2. Type of Program Travel: ☐ Academic Credit-Bearing ☐ Non-Credit Student Activity/Club ☐ Other ______________________

2. Proposed Dates Abroad: ______________ to ______________

4. Number of CUNY students expected to participate: _____

5. Program Site (Location): ________________________________ (City, Country)

6. Has the program or trip been approved before? If yes, when and by whom?

7. Brief Description/Rationale for the Trip (50 words or less):

8. Program Director/Requestor Contact Information and Certification:

________________________________________________________________________________________________________
Name of Program Director/Requestor CUNY College

________________________________________________________________________________________________________
Title Department

________________________________________________________________________________________________________
Telephone Email Address

I hereby certify that the attached proposal accurately reflects the program as planned, that the program is in the University's and participating students' best interests, and that the program is consistent with the University's mission.

_________________________________________  __________________________
Signature of Program Director/Requestor  Date

9. Approval:

The attached proposal is hereby approved by the Chief Academic Officer.

_________________________________________
Name of College Chief Academic Officer

_________________________________________
Signature of College Chief Academic Officer  Date

INTERNATIONAL TRAVEL NOTIFICATION FORM

The Program Director shall complete this International Travel Notification Form and submit it to the Office of the Provost, the college Office of Public Safety, the program director's department, the University Office of Environmental, Health, Safety and Risk Management, and the University Office of Academic Affairs one month to two weeks prior to commencement of travel. Sponsored trips must follow the CUNY International Travel Guidelines which can be found at <http://www.cuny.edu/studyabroad>.

To Be Completed by the Program Director
### Contact Information at CUNY

<table>
<thead>
<tr>
<th>Faculty/Staff Name:</th>
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<tbody>
<tr>
<td>College:</td>
</tr>
<tr>
<td>Office Phone:</td>
</tr>
<tr>
<td>Email address:</td>
</tr>
</tbody>
</table>

Program Director will accompany the group abroad: Yes [ ] No [ ]

### Contact Information at International Site

<table>
<thead>
<tr>
<th>Faculty/Staff Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Phone:</td>
</tr>
<tr>
<td>Email address:</td>
</tr>
</tbody>
</table>

Physical Address at International Site:

If other staff or faculty will (also) accompany the group, please attach their contact information.

### Academic Information (if applicable)

<table>
<thead>
<tr>
<th>Course/Program Title:</th>
</tr>
</thead>
<tbody>
<tr>
<td>CUNY Course Equivalent(s):</td>
</tr>
</tbody>
</table>

### Logistics (attach additional sheets as necessary)

<table>
<thead>
<tr>
<th>Departure Date and Time (from New York):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Return Date and Time:</td>
</tr>
<tr>
<td>Destination(s):</td>
</tr>
</tbody>
</table>

Number of Participants (including trip program director):

If a third-party tour company or provider will be assisting with logistics in-country, please list name of the company/organization, contact information, and how the arrangement came about:

Please describe primary mode(s) of transportation (to country and within the country) including names of companies used, flight number and information, etc.:

Please describe the living accommodations planned for students and faculty, including type of accommodation, living address, and contact information:

U.S. Department of State Travel Warnings are issued to describe long-term, protracted conditions that make a country dangerous or unstable. Travel Alerts are issued to describe short-term conditions, generally within a particular country, that pose imminent risks to the security of U.S. citizens [http://travel.state.gov].

Please indicate if there are U.S. Department of State advisories for the destination(s):

Please indicate if there are CDC (Centers for Disease Control and Prevention) travel notices for the destination(s) [http://wwwnc.cdc.gov/travel/default.aspx]:
Please attach the following:

(1) Detailed Trip Itinerary

(2) List of Students and Their Emergency Contacts (see spreadsheet template on next page)

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<thead>
<tr>
<th>Received by the International Education Liaison</th>
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<tbody>
<tr>
<td>Name:</td>
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<td>Signature:</td>
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<td>Signature:</td>
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**EMERGENCY CONTACT INFORMATION SHEET**

The following information must be completed for each participant who will be attending the event/trip

Emergency Contact Information Sheet

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Last Four Digits of CUNY ID</th>
<th>Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Phone Number</th>
<th>Email Address</th>
<th>Home College</th>
<th>Abroad (e.g. Contact Info.)</th>
<th>Emergency Contact Last Name</th>
<th>Emergency Contact First Name</th>
<th>Relationship</th>
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**INTERNATIONAL TRAVEL PARTICIPATION, WAIVER, AND EMERGENCY CONTACT FORM**

**PART A** to be completed by the Trip Sponsor (then duplicated for completion of Part B by participating students)

Description of Activity
APPENDIX B

Minutes of Proceedings, November 28, 2011

The College ("College") of The City University of New York ("University") believes that participation in organized, off-campus activities by its students can be an important part of a student's learning experience. Off-campus activities may, however, involve certain risks, both to the participating students and to the College/University. In order to participate, each student must read carefully, complete, and sign this Off-Campus Travel Participation, Waiver, and Emergency Contact Form and submit it to the Trip Sponsor prior to the Activity.

Description of Activity: 

Destination of Activity: 

Dates of Activity: 

Name of Trip Sponsor: 

Affiliation of Trip Sponsor to College/University: 

Name of Trip Chaperone: 

Contact Telephone Number on Date(s) of Activity: 

PART B to be completed and signed by the participating student and notarized; if under 18, also by his/her parent or legal guardian and notarized

I wish to participate in the Activity, and in consideration for being permitted to participate in the Activity, I hereby represent and agree as follows:

1. I understand that participation in the Activity involves risks not found in study at the College, including risks involved in traveling to and within, and returning from, the Activity site(s). These include risks involved in traveling to and within, and returning from, one or more foreign countries; foreign political, legal, social and economic conditions; different standards of design, safety and maintenance of buildings, public places and conveyances; local medical and weather conditions; and other matters described in the attached U.S. Department of State Country Specific Information (and Travel Warnings and/or Travel Alerts, if any) that I have received and reviewed carefully. I understand that there may be other risks not known or reasonably foreseeable. I accept all of these risks and voluntarily elect to participate in the Activity.

2. I understand that, although the University has made every reasonable effort to assure my safety while participating in the Activity, there are unavoidable risks, and I hereby release and promise not to sue the City of New York, the State of New York, the College, the University, and the officers, employees, agents, or representatives of any and all of them ("Released Parties") for any damages or injury (including death) caused by, deriving from, or associated with my participation in the Activity, except for such claims, damages or losses may be caused by the gross negligence or willful misconduct of any of the Released Parties. It is my express intent that this Release bind my heirs, assigns, and personal representatives.

3. I represent that my statements herein are accurate and complete and that my agreement to the provisions herein is wholly voluntary, and further understand that, prior to signing this Release, I have the right to consult with the adviser, counselor, or attorney of my choice.

4. I understand that each foreign country has its own laws and standards of acceptable conduct, including dress, manners, morals, politics, drug use and behavior. I recognize that behavior that violates those laws or standards could harm the University's relations with those countries and the institutions therein, as well as my own health and safety. I will become informed of, and will abide by, all such laws and standards for each country to or through which I will travel during the Activity and assume responsibility for my actions, understanding that the circumstances of an Activity likely requires a standard of behavior that may differ from that applicable on campus. I will comply with the University's rules, standards, and instructions for student behavior generally and for the Activity, including the College's Code of Student Conduct and the Henderson Rules of Public Order (collectively, "standards"). I acknowledge and understand that my compliance is important to the success of the Activity and to the University/College's willingness to permit future similar activities. I agree that the University has the right to enforce the standards, in its sole judgment, and that it may impose restrictions, up to and including disciplinary proceedings and not granting academic credit for and removing me from the Activity, for violating the standards or for any behavior detrimental to or incompatible with the interest, harmony, and welfare of the College, the University, the Activity or other participants. I agree that, due to the circumstances of foreign study programs, procedures for notice, hearing and appeal
applicable to student disciplinary proceedings at the University do not apply. If I am removed from the Activity, I consent to going home at my own expense with no refund from the University or College of any monies paid. I will attend to any legal problems I encounter with any foreign nationals or government of the host country. The University is not responsible for providing any assistance under such circumstances.

5. I hereby release each of the Released Parties from any and all claims, damages, injuries (including death), or loss that arises at a time when I am not under the direct supervision of the University, including, without limitation, during travel and/or activities other than those specifically required in order to participate in the Activity that I may choose to undertake before, during, or after the Activity, and/or that are caused by my failure to remain under such supervision or to comply with the standards. I understand and agree that the University is not in any way responsible for my well being with respect to any travel to destinations beyond those specifically required for the Activity that I may choose to undertake before, during, or after the Activity.

6. I understand that it is within the College’s discretion to change travel, accommodations, and other arrangements as it deems necessary. I understand that the College is not responsible for nor does it represent or act as agent for, and cannot control the acts or omissions of the host institution or service providers, including those who provide transportation, tour, dining or sleeping accommodations.

7. I have no known physical or health-related reasons or problems that preclude or restrict my participation in the Activity. I have disclosed to the College any physical, mental, and emotional conditions or problems, permanent or temporary, including special dietary and medication needs, or the need for visual or auditory aids that might impair my ability to participate in the Activity, and I hereby release each of the Released Parties from any and all claims, damages, injuries (including death), or loss arising out of my failure to disclose such conditions or problems.

8. I have or will obtain and maintain health, accident, disability, hospitalization, property and travel insurance as required by the College and have or will obtain and maintain the same health, accident, disability, hospitalization, property and travel insurance coverage for all travel and activities other than those specifically required in order to participate in the Activity that I may choose to undertake before, during, or after the Activity. I will be responsible for the costs of such insurance and for any expenses not covered by insurance.

9. The University may, but is not obligated to, take any actions regarding my health and safety that it considers to be warranted under the circumstances, and I hereby authorize the University to make such decisions. I agree to pay all expenses relating thereto and release the University from any liability for any such actions.

10. I am assuming full financial responsibility for all costs and expenses incurred by me in connection with the Activity, including, without limitation, financial responsibility for damage or destruction to property of third parties.

11. I will not hold myself out as having the power or authority to bind or create liability for the College or the University.

12. I agree that should any provision or aspect of this International Travel Participation, Waiver, and Emergency Contact Form be found to be unenforceable, that all remaining provisions will remain in full force and effect.

13. The waiver and release herein represents my complete understanding with the College and the University concerning its responsibility and liability for my participation in the Activity. It supersedes any previous or contemporaneous understandings I may have had with the College or the University on this subject, whether written or oral, and cannot be changed or amended in any way without my written concurrence.

14. I am printing my contact information below:
   Name of Participant: CUNY ID:
   Local Address:
   City: State: Zip:
   Cell Phone: Email address:

15. I am printing my emergency contact information below:
   In case of emergency, notify:
   Name:
   Relationship:
Phone numbers: day even

16. Check one:

☐ I am at least eighteen years old.
☐ I am not yet eighteen years old, so I have secured the signature of my parent or guardian (see next page) as well as my own.

I wish to participate in the Activity, I have read and completed this Participation, Waiver, and Emergency Contact Form carefully, and I am signing it voluntarily in the presence of a notary.

Date:____________________ Signature: ____________________________________________

STATE OF _____________________ ss.: ____________________________________________
COUNTY OF ____________________

On this ___ day of ___, 20___, before me personally appeared ________________________

_______________________________ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that s/he executed the same.

Notary
Stamp

Notary Public

If participating student completing and signing this form is under the age of 18, then the following page must be completed and signed by the student’s parent or legal guardian in the presence of a notary.

IF STUDENT IS UNDER THE AGE OF 18, THEN THE STUDENT’S PARENT OR LEGAL GUARDIAN MUST COMPLETE AND SIGN THE FOLLOWING IN THE PRESENCE OF A NOTARY:

1. I am the parent or legal guardian of my child named and who signed on the previous page.

2. I give my permission for my child to take part in the Activity described on the first page of this form with the understanding that there are potential risks associated with the Activity.

3. I understand that my child is expected to behave responsibly and to follow the University’s discipline code and policies and that failure to do so may subject the student to removal from the Activity.

4. I have read and understand this International Travel Participation, Waiver, and Emergency Contact Form, and I confirm that the information provided by my child is accurate and complete.

5. I agree that in the event of an emergency injury or illness, the staff member(s) in charge of the Activity may act on my behalf and at my expense in obtaining medical treatment for my child.

6. I am and will be legally responsible for the obligations and acts of my child as described in this form, including such parts as may subject me to personal financial responsibility.

7. I agree, for myself and for my child, to be bound by its terms.

______________________________ ________________________________
Print First and Last Name of Parent or Guardian Signature of Parent or Guardian
INDEPENDENT TRAVEL NOTIFICATION, WAIVER, AND EMERGENCY CONTACT FORM

College: ___________________________ Department: ___________________________
Destination(s): ___________________________
Description and Purpose of Trip: ________________________________________________

Name and Contact Information of Local Sponsor (university, institution, etc.) ________________

Departure Date and Time: _______________ Return Date and Time: _______________
Trip Itinerary: __________________________

Indicate if there are U.S. Department of State Warnings or Alerts for the destination(s) <http://travel.state.gov>:

If there are any advisories, please notify your Student Affairs office (graduate students) or Study Abroad office (undergraduate students) as soon as you are aware of the advisories so that your travel can be reviewed by the University Office of Academic Affairs and the University Office of Environmental, Health, Safety and Risk Management.

Indicate if there are CDC (Centers for Disease Control and Prevention) travel notices for the destination(s) <http://wwwnc.cdc.gov/travel/default.aspx>:

I wish to participate in the trip described above (“Activity”), and in consideration for being permitted to participate in the Activity, I hereby represent and agree as follows:

1. I understand that participation in the Activity involves risks not found in study at the College, including risks involved in traveling to and within, and returning from, the Activity site(s). These include risks involved in traveling to and within, and returning from, one or more foreign countries; foreign political, legal, social and economic conditions; different standards of design, safety and maintenance of buildings, public places and conveyances; local medical and weather conditions; and other matters described in the attached U.S. Department of State Country Specific Information (and Travel Warnings and/or Travel Alerts, if any) that I have received and reviewed carefully. I understand that there may be other risks not known or reasonably foreseeable. I accept all of these risks and voluntarily elect to participate in the Activity.

2. I understand that while I have made every reasonable effort to assure my safety while participating in the Activity, there are unavoidable risks, and I hereby release and promise not to sue the City of New York, the State of New York, the College, the University, and the officers, employees, agents, or representatives of any and all of them (“Released Parties”) for any
damages or injury (including death) caused by, deriving from, or associated with my participation in the Activity, except for such claims, damages or losses may be caused by the gross negligence or willful misconduct of any of the Released Parties. It is my express intent that this Release bind my heirs, assigns, and personal representatives.

3. I represent that my statements herein are accurate and complete and that my agreement to the provisions herein is wholly voluntary, and further understand that, prior to signing this Release, I have the right to consult with the adviser, counselor, or attorney of my choice.

4. I understand that each foreign country has its own laws and standards of acceptable conduct, including dress, manners, morals, politics, drug use and behavior. I recognize that behavior that violates those laws or standards could harm the University's relations with those countries and the institutions therein, as well as my own health and safety. I will become informed of, and will abide by, all such laws and standards for each country to or through which I will travel during the Activity and assume responsibility for my actions, understanding that the circumstances of an Activity likely requires a standard of behavior that may differ from that applicable on campus. I will comply with the University’s rules, standards, and instructions for student behavior generally and for the Activity, including the College’s Code of Student Conduct and the Henderson Rules of Public Order (collectively, “standards”). I acknowledge and understand that my compliance is important to the success of the Activity and to the University’s/College’s willingness to permit future similar activities. I agree that the University has the right to enforce the standards, in its sole judgment, and that it may impose restrictions, up to and including disciplinary proceedings and not granting academic credit for and removing me from the Activity, for violating the standards or for any behavior detrimental to or incompatible with the interest, harmony, and welfare of the College, the University, the Activity or other participants. I agree that, due to the circumstances of foreign study programs, procedures for notice, hearing and appeal applicable to student disciplinary proceedings at the University do not apply. If I am removed from the Activity, I consent to going home at my own expense with no refund from the University or College of any monies paid. I will attend to any legal problems I encounter with any foreign nationals or government of the host country. The University is not responsible for providing any assistance under such circumstances.

5. I hereby release each of the Released Parties from any and all claims, damages, injuries (including death), or loss that arises at a time when I am not under the direct supervision of the University, including, without limitation, during travel and/or activities other than those specifically required in order to participate in the Activity that I may choose to undertake before, during, or after the Activity, and/or that are caused by my failure to remain under such supervision or to comply with the standards. I understand and agree that the University is not in any way responsible for my well being with respect to any travel that I may choose to undertake before, during, or after the Activity.

6. I understand that it is within the College’s discretion to change travel, accommodations, and other arrangements as it deems necessary. I understand that the College is not responsible for nor does it represent or act as agent for, and cannot control the acts or omissions of the host institution or service providers, including those who provide transportation, tour, dining or sleeping accommodations.

7. I have no known physical or health-related reasons or problems that preclude or restrict my participation in the Activity. I have disclosed to the College any physical, mental, and emotional conditions or problems, permanent or temporary, including special dietary and medication needs, or the need for visual or auditory aids that might impair my ability to participate in the Activity, and I hereby release each of the Released Parties from any and all claims, damages, injuries (including death), or loss arising out of my failure to disclose such conditions or problems.

8. I have or will obtain and maintain health, accident, disability, hospitalization, property and travel insurance as required by the College and have or will obtain and maintain the same health, accident, disability, hospitalization, property and travel insurance coverage for all travel and activities other than those specifically required in order to participate in the Activity that I may choose to undertake before, during, or after the Activity. I will be responsible for the costs of such insurance and for any expenses not covered by insurance.

9. The University may, but is not obligated to, take any actions regarding my health and safety that it considers to be warranted under the circumstances, and I hereby authorize the University to make such decisions. I agree to pay all expenses relating thereto and release the University from any liability for any such actions.

10. I am assuming full financial responsibility for all costs and expenses incurred by me in connection with the Activity, including, without limitation, financial responsibility for damage or destruction to property of third parties.

11. I will not hold myself out as having the power or authority to bind or create liability for the College or the University.

12. I agree that should any provision or aspect of this International Travel Notification, Waiver, and Emergency Contact Form be found to be unenforceable, that all remaining provisions will remain in full force and effect.
13. The waiver and release herein represents my complete understanding with the College and the University concerning its responsibility and liability for my participation in the Activity. It supersedes any previous or contemporaneous understandings I may have had with the College or the University on this subject, whether written or oral, and cannot be changed or amended in any way without my written concurrence.

14. I am printing my contact information below:

Participant Name: ___________________________  CUNY ID: ___________________________

Home Address: ___________________________  Phone: ___________________________

Email: ___________________________

15. I am printing my emergency contact information below. In case of emergency, notify:

Name: ___________________________  Relationship: ___________________________

Phone numbers:  Day: ___________________________  Evening: ___________________________

Email: ___________________________

16. I will submit this form to the Office of Student Affairs (graduate students) or the Study Abroad office (undergraduate students) prior to my departure.

I am at least eighteen years old, I wish to participate in the Activity, I have read and completed this Participation, Waiver, and Emergency Contact Form carefully, and I am signing it voluntarily.

Date:____________________  Signature: ___________________________

PROGRAM DIRECTOR CHECKLIST FOR INTERNATIONAL PROGRAM

SAFETY AND RISK MANAGEMENT: PLAN AHEAD

☐ Approval: Ensure the trip has followed the appropriate approval procedures as outlined in the CUNY International Travel Guidelines.

☐ Contracts: Provide the Office of the General Counsel with all contractual agreements. ONLY authorized University officials may sign contracts on behalf of CUNY. All purchases and expenditures must be made through the campus purchasing office.

☐ Do Your Homework: Familiarize yourself with the destination and review any appropriate Travel Warnings, Consular Information Sheets, and Public Announcements available at <http://www.state.gov/>.

☐ Housing: Organize housing and accommodations (e.g., dorms, hotels, homestays, etc.) for all members for the duration of the trip.

☐ Transportation: Organize modes of transportation (e.g., group flight, bus tours, etc.).

☐ Field Trips: Organize excursions, events, and field trips.

☐ Communication:

☐ Determine who on the CUNY campus should be contacted in the event of an emergency.

☐ Check in periodically with CUNY campus and inform designated campus officials of changes to itinerary.

☐ Health and Emergency Services:

☐ Identify suitable and recommended medical professionals and hospitals.

☐ Know the sites abroad and how to access health and emergency services there.

☐ Familiarize yourself with emergency protocols and be prepared to respond in the event of an emergency.

☐ Bring a first aid kit (include bandages, gauze, ace bandage, antiseptic, cotton-tipped applicators).
Required Documents:
- Fill out, file, and provide copies to designated College officials of all required documents, including copies of the required forms from students (e.g., copies of passports, emergency contact information, completed International Travel Participation, Waiver, and Emergency Contact Form, etc.).
- Consider scanning required documents and e-mail them to yourself.
- Verify that the name on the airline ticket matches exactly the name on the passport. Be aware of nicknames, middle initials, married/maiden names, etc.
- Verify proof of insurance for all trip participants.
- During the trip, have access to all campus, host site, and student contact information in case of an emergency.

Register: Register the trip with the U.S. Department of State (DOS) at <https://travelregistration.state.gov/ibrs/ui/>.
(Note: The DOS system only allows for U.S. citizens to register their trips. Inform non-U.S. citizen travelers to notify their respective countries of nationality of their travel plans.)

University Policies: Familiarize yourself with University policies (e.g., alcohol and drug use, sexual harassment, confidentiality, students with disabilities, Henderson Rules of Public Order, etc.).

OTHER CONCERNS
- Consult the appropriate campus offices for other topics to address in student preparation for the trip, such as:
  - Registration
  - Financial Aid
  - Student Billing and Bursar Matters

ADDITIONAL RESOURCES
- CDC Study Abroad Tips: http://wwwnc.cdc.gov/travel/content/study-abroad.aspx
- SAFETI for Program Directors: http://www.globaled.us/irl/programadmin.html
- U.S. Department of State – Students Abroad: http://studentsabroad.state.gov/

STUDENT CHECKLIST FOR INTERNATIONAL PROGRAM

SAFETY AND RISK MANAGEMENT: PLAN AHEAD
- Required Documents: Obtain your Passport or any required visas as soon as possible. For more information, visit <http://www.travel.state.gov/passport/passport_1738.html> or contact the Program Director.
- Verify that the name on the airline ticket matches exactly the name on the passport. Be aware of nicknames, middle initials, married/maiden names, etc.
- Travel Warnings: Check out any appropriate Travel Warnings, Consular Information Sheets, and Public Announcements available at <http://www.state.gov/>.
- Do Your Homework:
  - Review the weather and local conditions for the duration of time you're visiting.
  - Investigate the laws, legal system, political landscape, and culture of the country you're visiting.
- Orientation: Attend all mandatory pre-departure orientations headed by the program director.
- Financial Information:
  - Know the credit limits on all your credit cards as well as how to contact those companies while abroad. You should also contact your bank and credit card company to inform them of your travel plans (including location and length of stay), so that your accounts will not be frozen unexpectedly while you are away.
  - Order foreign currency and/or traveler’s checks. (Try not to carry around excessive amounts of cash).
- U.S. Embassy: Know the location and how to contact the closest embassy or consulate of all your destinations by visiting <http://usembassy.state.gov/>. You may use the CUNY Emergency Contact Card available at <http://www.cuny.edu/studyabroad> to record this information along with other emergency contact information. (Non-U.S. Citizens should research the embassy and consulate of their countries of nationality.)
- Communication:
  - Find out whether or not your cell phones/wireless mobile devices will work abroad.
Retain contact information for international host institution, program director and U.S. based college campus.

Plan for multiple ways to contact home (e.g., calling card, internationally accessible email address, cell phone, etc.).

**Packing:**
- Pack appropriately (e.g., suitable clothing, toiletries, etc.). For a suggested packing list for students abroad, please visit the U.S. Department of State site [http://studentsabroad.state.gov/pdfs/Packlist.pdf] or contact the program director.
- Do not bring valuables beyond those you require.
- If you are concerned about theft/loss, please consider purchasing Travelers Insurance.

**CUNY BEHAVIOR POLICIES**
- **Drug and Alcohol Policy:** Familiarize yourself with CUNY’s Policy [http://www.cuny.edu/administration/ohrm/cohr/DrugandAlcoholPolicy.pdf].

**MEDICAL PREPAREDNESS**
- **Physical Exam:** Schedule a complete physical examination with your physician.
- **Prescriptions:**
  - Find out whether your prescriptions are considered illegal narcotics in the country you’re visiting. Get a letter from your doctor listing your medications and explaining why you need them. Carry instructions for treating any allergies or other unique medical conditions you might have.
  - Bring an adequate supply of any medication you require for the duration of the trip.
  - Keep all medications in their original containers.
- **Vaccinations:** Find out if it is required or recommended to get any vaccinations, immunizations, shots, or medicines and arrange to obtain those that are required.
- **Disclosure of Medical History:** You may voluntarily disclose any disabilities, problems, or special health issues that may need to be accommodated during the trip to your program director.
- **Medical Insurance:**
  - Verify that you have valid health and travel insurance that will cover you while abroad. Coverage areas should include: major medical, evacuation, and repatriation.
  - Carry your insurance card with you at all times during the trip.

**BEFORE YOU LEAVE**
- **Copy Documents:** Leave copies of the following documents with someone at home:
  - Passport identification page
  - Airline information
  - Driver’s license
  - Credit cards
  - Serial numbers of your traveler’s checks
  - Your contact information abroad (phone, e-mail, address)
  - Emergency contact information abroad
  - Insurance information
- Consider scanning important documents and e-mailing them to yourself.
- **For the Airport:**
  - Make sure your covered luggage tags are labeled with your name, address, and telephone numbers. Also, place your contact information inside each piece of luggage.
  - Familiarize yourself with the current TSA luggage guidelines for air travel at [http://www.tsa.gov] and find out how much luggage your airline will allow.
  - Arrange transportation to and from the airport(s).
If you are concerned about trip cancellation, you may consider purchasing Trip Interruption/Cancellation insurance.

### ADDITIONAL RESOURCES

- **U.S. Department of State – Students Abroad**: [http://studentsabroad.state.gov/](http://studentsabroad.state.gov/)
- **CDC Study Abroad Tips**: [http://wwwnc.cdc.gov/travel/content/study-abroad.aspx](http://wwwnc.cdc.gov/travel/content/study-abroad.aspx)

### EMERGENCY CONTACT CARD TEMPLATE

<table>
<thead>
<tr>
<th>CONTACTS ABROAD</th>
<th>CONTACTS IN U.S.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Name</td>
<td>Dialing the U.S.</td>
</tr>
<tr>
<td>Sponsoring College</td>
<td>Host Country’s Exit Code</td>
</tr>
<tr>
<td>Study Abroad Program</td>
<td>_________ + 1 +</td>
</tr>
<tr>
<td>On-Site Address</td>
<td>Campus Study Abroad Office Phone</td>
</tr>
<tr>
<td>On-Site Program Director Name/Phone</td>
<td>Campus Public Safety Phone</td>
</tr>
<tr>
<td>Peer Phone (someone on the trip)</td>
<td></td>
</tr>
<tr>
<td>Emergency/Police (in host country)</td>
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</tr>
</tbody>
</table>
DOMESTIC TRAVEL GUIDELINES

SAFETY AND RISK MANAGEMENT

PURPOSE

The City University of New York encourages its students to participate in off-campus programs that provide valuable learning opportunities. These guidelines are a resource guide to assist in planning and preparing for health and safety issues that may be encountered while traveling.

While the information in these guidelines covers many different areas, the guidelines are not comprehensive and do not cover all circumstances; the guidelines are intended to prompt trip sponsors to be prepared to maintain the health and safety of our students and prepared to assess and mitigate the potential risks they may encounter.

Since responsible and accountable planning and preparation is the bedrock of successful domestic travel and programming, all domestic programs, including domestic trips and programs for student affairs or athletics purposes are required to follow these guidelines.

Prior written approval for all programs must be obtained from the Chief Student Affairs Officer for student organization travel or from the Chief Academic Officer for academic-related (class-related) travel prior to the commitment of any University resources. Trip sponsors and faculty leaders are expected to seek guidance and input from campus-based safety and risk management offices when envisioning and planning the logistics of a trip or travel program.

DOMESTIC STUDENT TRIP AND TRAVEL DEFINED

Trips Covered by These Guidelines

The following guidelines for domestic travel are for currently enrolled undergraduate or graduate students participating in sponsored trips. See Section 3 for additional information.

“Domestic travel” is classified as any activity or event leaving CUNY property but within the 50 states of the United States including trips to museums, field trips, athletic events, leadership retreats and conferences.

A “sponsored trip” is any event or activity that takes place off campus with the purpose of extending and supplementing learning opportunities in a way not possible within the usual College setting that is organized, supported, or financed by an office, department, division, or a student organization of the college and that is funded by student activity fees or monies that are in the control of the College, the University, or a University/College-related entity, such as auxiliary enterprise corporations, a college association, or a student services corporation.

Examples of activities and events that fall under these guidelines include Division of Student Affairs-sponsored field trips, club sports trips, the activities of recognized student organizations, college association-funded travel, course-related field trips, and situations in which a student or recognized student organization officially represents the University (e.g., conferences).

Trips Not Covered by These Guidelines

These guidelines do not apply to travel undertaken by students who travel as individuals (by themselves or with other members of the CUNY community) to attend out-of-town athletic/recreational events as a non-participant (except when traveling on behalf of or with the financial support of a recognized student organization), or as individuals who travel out of town to engage in student teaching, internships, practicums, observations, or research.
These guidelines do not apply to day-trips (trips without an overnight stay) within the five boroughs of New York City (Bronx, Brooklyn, Manhattan, Staten Island and Queens) that require only the use of public transportation for travel and do not involve high-risk activities.

If a college is uncertain if an event, activity or individual or group travel is covered by these guidelines, please contact the Office of Environmental, Health, Safety and Risk Management at riskmanagement@mail.cuny.edu.

CUNY neither sanctions nor prohibits any non-CUNY sponsored trips and CUNY does not assume any responsibility for them.

Activities outside of the country are beyond the scope of these guidelines and are covered by CUNY’s International Travel Guidelines.

TRAVEL REQUIREMENTS AND PROCEDURES

All sponsored trips must meet the following requirements:

a. **Purpose.** The purpose of the travel must be consistent with the University’s mission and/or organization’s mission statement and constitution, which should be on file with the appropriate office.

b. **Academic Calendar.** Travel must be planned so as not to create an undue interference with academic responsibilities.

c. **Prior Approval Required.** To ensure that events or activities involving student travel are consistent with the College’s/University’s mission and that student safety issues have been addressed, sponsored trips must be approved in advance by the Chief Academic Officer or Chief Student Affairs Officer. To request approval, members of the faculty, staff, or recognized student organization who organize activities covered by these guidelines must submit a completed Off-Campus Student Travel Approval Form to the Chief Student Affairs Officer for student organization travel and to the Chief Academic Officer for academic-related (class-related) travel no later than one (1) month before the scheduled trip. The Off-Campus Student Travel Approval Form will include the name and phone number for the responsible university employee(s) who will be available to the students at all times during the travel and activity (i.e. trip sponsor).

d. **Trip Sponsor/Trip Chaperone/Trip Contact Person.** All sponsored trips must have a trip sponsor who has overall accountability for development and implementation of the domestic event or activity. The trip sponsor is responsible for handling the logistics of the trip, collecting the required information from the participants, pre-departure orientation delivery, overseeing the health and safety of students, designating a trip chaperone, and conducting follow-up activities.

The trip chaperone is the CUNY faculty or staff member who teaches and/or accompanies the students on the trip and may be different from the trip sponsor. If the trip sponsor cannot accompany participants on the trip activity/event, then the trip sponsor will designate a trip chaperone to accompany the participants.

If the Chief Academic Officer or Chief Student Affairs Officer determines that no trip chaperone is required for the trip, then the trip sponsor will designate a university employee as the trip contact person who will be available (by phone and/or Email) to the students at all times during the travel and activity (but will not accompany participants on the trip activity/event). The name and phone number for the trip chaperone or trip contact person (as appropriate) must be included in the Off-Campus Student Travel Approval Form.

e. **Contracts.** Faculty/staff members, departments, offices, students, and student organizations may not enter into or sign any contracts related to sponsored trips. The Office of General Counsel must review and approve as to form all contracts, and only designated college and university officials may sign any documents that relate to commitments on behalf of the college/university after such approval as to form has been received. Assuring that agreements contain adequate indemnification and insurance provisions is part of the Office of General Counsel’s review. Furthermore, no commitments related to the trip shall be made until the Chief Academic Officer or Chief
Student Affairs Officer has provided written approval for a given trip. Documents that relate to commitments on behalf of the University should be reviewed by the campus Business Office.

f. **24/7 Access.** Trip participants must be provided with 24/7 access to the trip sponsor, the trip chaperone, or the trip contact person before, during, and immediately after the sponsored trip.

g. **Insurance.** CUNY does not currently have a standard of medical insurance coverage for domestic student travel. In evaluating the risks involved in each sponsored trip, the college shall consider whether medical insurance should be sought for the trip to transfer some of those risks to an insurance carrier where appropriate. Since CUNY does not currently mandate health insurance for all students, all trip participants shall be responsible for any medical costs they incur during and/or as a result of the trip. The trip sponsor is responsible for communicating this fact to the trip participants.

h. **Ratio.** All sponsored trips are to be chaperoned by a staff or faculty member, except with the prior approval of the Chief Academic Officer or Chief Student Affairs Officer. The minimum faculty/staff to student ratio is one staff member for every one to twenty (1-20) students over the age of 18 and one faculty/staff member for every one to five (1-5) students under the age of 18.

i. **No Friends or Family.** Except with the explicit prior written permission of the Chief Academic Officer or Chief Student Affairs Officer, friends and family of faculty, staff, and students are not eligible to participate in sponsored trips.

j. **Non-Compliance.** Any sponsored trip taken without all of the following: (i) timely submission to the Chief Academic Officer or Chief Student Affairs Officer of a complete and accurate Off-Campus Student Travel Approval Form, (ii) prior approval of the Chief Academic Officer or Chief Student Affairs Officer, as evidenced by the sign-off of the Off-Campus Student Travel Approval Form, and (iii) collection of an Off-Campus Activity Participation, Waiver, and Emergency Form from every participant, or (iv) that otherwise violates or fails to meet these guidelines may result in individual and/or organizational discipline as set forth in CUNY Article XV of the CUNY Board of Trustee Bylaws and/or applicable collective bargaining agreements.

**PROCEDURES FOR APPROVAL AND IMPLEMENTATION OF A SPONSORED TRIP**

Proper planning and preparation are critical to a successful experience for all participants. Trip sponsors shall conduct thorough research about the destination to be visited, local transportation, overnight accommodations (if applicable), and dining options; creation of a detailed itinerary; and clear communication of plans and expectations with participants. Of paramount importance in all aspects of the planning must be the health and safety of all participants. The trip sponsor must complete the following steps:

a. Prepare an Off-Campus Student Travel Approval Form for the trip. This Form must be submitted for approval to the Chief Academic Officer or Chief Student Affairs Officer on campus to approve the trip no later than one (1) month before the scheduled departure. Approval will be confirmed when the Chief Academic Officer or Chief Student Affairs Officer signs the Off-Campus Student Travel Approval Form. Once approved, file the Off-Campus Student Travel Approval Form with the College’s Office of Public Safety as well as the Chief Academic Officer or Chief Student Affairs Officer in the event of an emergency during the trip. The Off Campus Student Travel Approval Form shall include destination, location of accommodations, departure and anticipated return date and time, mode of transportation, local contact information as well as the cell phone number of the trip sponsor, trip chaperone, or trip contact person, as applicable.

b. After the trip is approved by the Chief Academic Officer or Chief Student Affairs Officer, collect a signed and notarized Off-Campus Activity Participation, Waiver, and Emergency Form from each student no later than two (2) weeks before the trip, activity, or event. By completing this form, all students traveling indicate that they understand and agree to comply with the Henderson Rules of Public Order, acknowledge all risks associated with participation, and release the University from liability. Trip sponsors must collect signed Off-Campus Activity Participation, Waiver,

\[\text{Available at: } \url{http://policy.cuny.edu/toc/btb/Article%20XV/}\]
and Emergency Forms} from all students participating in the activity or event. Students under the age of 18 participating in an activity or event with no overnight stay are required to have a parent or guardian sign the Off-Campus Activity Participation, Waiver, and Emergency Forms. Students under the age of 18 participating in an activity or event with an overnight stay are required to have a parent or guardian sign the Off-Campus Activity Participation, Waiver, and Emergency Forms in the presence of a notary. Students 18 and older participating in an activity or event (whether it has an overnight stay or not) are not required to have a parent or guardian sign the Off-Campus Activity Participation, Waiver, and Emergency Forms. Failure to supply the information required in a timely fashion shall affect the student’s eligibility to participate.

c. **Signed copies of the Off-Campus Student Travel Approval Form and the Off-Campus Activity Participation, Waiver, and Emergency Form** shall be kept on file by the sponsoring department or organization for six (6) years after the event has ended.

d. Trip sponsors must provide both their respective departments and campus Office of Public Safety a list with the names of all travelers, emergency contact information, contact numbers, and dates of travel prior to departure. Departments are the primary contact during normal business hours, and Public Safety is the primary contact after hours.

e. Identify special requirements or skills required for everyone’s participation on the trip for any specific activities to be undertaken. **Discuss candidly participants’ physical abilities and the inherent risks of the proposed activities.** The University expressly prohibits trips involving high risk activities such as bungee jumping, whitewater rafting, or technical mountain climbing that can put participants in danger, and no one is authorized to approve of such trips as sponsored trips. Trip sponsors are required to scrutinize proposed activities or events involving water (such as swimming or water sports), animals (such as horseback riding or farm animals) or vehicles (such as bicycle riding or scooters) regarding the relevance of those activities to the trip’s purpose and are required to provide justification for having them.

f. Check the weather forecast for the location that you are traveling to and remind all participants to pack appropriately.

g. Give consideration to the lodging and overnight accommodations for the trip, such as hotels and the residence halls/dormitories of universities. The accommodation must be safe and secure. It is recommended that all lodging be vetted through personal site visits by the trip sponsor, if possible. If the trip sponsor or staff has not previously used or seen the accommodation, he/she should obtain full descriptions and multiple pictures and/or videos and thoroughly check reviews and references (including making inquiries regarding the experience of other colleges and universities) during the planning phase. The following questions should be considered when planning safe housing arrangements: Will students be able to get out quickly in case of fire? Are there smoke alarms present? If the program takes place in a region prone to earthquakes, are the structures built to withstand them? Is there appropriate security present? Will students have adequate quiet places to study?

h. Identify any potential hazards related to the trip such as excessive heat, insect-borne diseases, wild animals in the area, hazardous plants or terrain in the vicinity, etc.

i. Identify local resources for emergencies such as medical care or other local contacts as necessary. Anticipate and plan for emergencies such as theft, illness, vehicle breakdowns, accidents, inclement weather, vandalism, missing persons, etc.

**PRE-TRIP COMMUNICATIONS**

The trip sponsor shall communicate with all trip participants via a pre-trip meeting, email, or other written means the planned itinerary, behavioral expectations (see section 7), transportation, and accommodation details so that all trip participants are aware of what they can expect. Trip sponsors are to review with trip participants the following, as applicable:

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a. Remind all students to carry any personal medications that they require, health insurance cards and emergency contact information at all times. Remind participants to be mindful of any prescription drug or over-the-counter medication program they take, and plan with their medical provider to ensure an adequate supply for the duration of the trip.

b. Ask trip participants to voluntarily disclose any disabilities, problems, or health issues that may need to be accommodated during the trip. For programs requiring an application process, the medical and health disclosure should take place only after the participant gains acceptance to the program. Sensitive information may be collected and maintained in a sealed envelope to ensure privacy and confidentiality with disclosure to the trip sponsor or trip chaperone or his/her designee only if necessary. For example, the program will be better able to serve the needs of participants who disclose that they are asthmatic, diabetic, or experience particular drug and food allergies prior to departure.

c. Remind trip participants that traveling can cause psychological stress, especially as the participants’ daily routine is likely to change. Trip sponsors should inform participants about sleeping adjustments, change of diet, possible lack of exercise, homesickness, loneliness, and cultural differences. When participants are placed in dorms or hotels with roommates, the adjustment to sharing close quarters may be significant. Trip sponsors should encourage participants to find a constructive outlet to understand and work through any possible uneasy feelings or frustrations.

d. Advise trip participants that food and water-borne illness is a common ailment for travelers and that careful attention to food and drink can prevent sickness. Often, diarrhea results from ingesting food or drinks that contain contaminated particles. Advise student participants if the water supply at the location is potable and if water needs to be treated before drinking it or using it for teeth-brushing. Remind trip participants that food prepared without proper hand washing and food that is sitting out and exposed to flies and bacteria or unrefrigerated for a period of time may become contaminated.

e. Remind student participants to take the necessary precautions during times of extreme temperatures or weather conditions. For instance, when it is hot, participants should stay hydrated and wear light and light-colored clothing and use sunscreen if there is a lot of sun exposure.

f. Remind trip participants to be vigilant of their surroundings. For example, while on the trip, trip participants should continue to use their safety skills from living in New York City: not travelling or going out alone, being careful at night, etc. Provide trip participants with information about safe and unsafe neighborhoods in and around the destination site(s).

g. Advise trip participants that valuables either should not be brought along on the trip or should be secured at all times; discourage participants from bringing large amounts of cash and remind them to secure wallets and purses to avoid pick pocketing.

**METHODS OF TRANSPORTATION**

When traveling, all trip sponsors shall observe the following transportation guidelines:

a. **Utilize** commercial transportation whenever possible (e.g., Amtrak, Greyhound, etc.).

b. **Verify that sufficient insurance is carried whenever** a bus charter is being used. The bus company **must** carry minimum liability coverage of $1 million per occurrence and $5 million per aggregate or combined single limit of $5 million and date and identify the College, the University, the City of New York, the State of New York, and all affiliated corporate entities involved in the trip as additional insureds. **The trip sponsor must receive evidence of such coverage from the bus charter company five (5) business days before the departure date.**

c. **Consult the** University's Fleet Management Policy for appropriate requirements if college vehicles are being utilized. **Be reminded that only University or affiliated entity employees who meet the minimum requirements defined by the Fleet Management Policy are permitted to operate University-owned vehicles.**
d. Rented vehicles may be utilized for sponsored trips only with the prior approval of the appropriate college official; only those employees that meet the minimum requirements under the Fleet Management Policy may drive rented vehicles.

e. *Trip sponsors must remind all* trip participants choosing to ride in a private automobile *that they* do so voluntarily and at their own risk. The University does not insure or accept liability for any damage, loss, or injury resulting from the use of or riding in a private vehicle.

STUDENT BEHAVIOR

Trip sponsors shall inform students that they are asked to abide by the following behavioral expectations:

a. Students are representatives of CUNY whenever they participate in a sponsored trip or an off-campus activity that is funded or sponsored fully or in part by the University or one of the Colleges. As such, the students’ behavior at off-campus activities is reflective of their College/University, and, therefore, students are expected to conduct themselves appropriately.

b. All trip participants are required to: (a) comply with the standards set forth in the Henderson Rules of Public Order<sup>3</sup> and with applicable University policies, procedures, rules and regulations; and (b) conform their conduct to the standards and cultural norms surrounding the trip and assume responsibility for their own actions. Trip participants need to be aware and understand that the circumstances of an off-campus activity may require a standard of decorum that may differ from that applicable on campus or at home, and be aware that compliance is important to the success of the trip and to the University's willingness to permit future similar activities. Violations of the foregoing requirements may subject participants and sponsoring organizations to disciplinary action pursuant to Article XV of the CUNY Board of Trustee Bylaws.<sup>4</sup>

c. Participants in activities involving student travel are responsible for their own behavior and any resulting consequences. The College/University shall not be liable for any loss, damage, injury, or other consequence resulting from a participant's failure to comply with university rules and regulations, the direction of college/university employees, or applicable laws.

A. All trip participants are reminded that sponsored trips are a “CUNY-sponsored activity” and that the CUNY Drug and Alcohol policy states: “The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including CUNY residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, is prohibited” <http://web.cuny.edu/administration/ohrm/cohr/DrugandAlcoholPolicy.pdf>.

Drug and alcohol abuse and misuse will not be tolerated on sponsored trips. Violation of CUNY regulations or policies may result in immediate dismissal from the trip and academic and/or disciplinary action upon return to campus.

B. CUNY is committed to maintaining an employment and academic environment free from all forms of exploitation, intimidation, or harassment, including sexual harassment. CUNY does not tolerate sexual harassment; it is demeaning, offensive, illegal, and prohibited by University policy. For more information on the University’s Sexual Harassment Policy, please visit <http://www.cuny.edu/about/administration/offices/ohrm/pdlm/programs/sexual-harass-prevent.html>.

- Trip participants should review Section 5: Pre-Trip Communications and familiarize themselves with the personal safety tips therein.

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<sup>4</sup> CUNY Board of Trustee By Laws, Article XV, <http://policy.cuny.edu/text/toc/trib/>
TRIP CHAPERONE EXPECTATIONS

Trip chaperones have many responsibilities before, during, and after the sponsored trip while at CUNY, while en route, and while at the destination of the sponsored trip. The trip chaperones shall:

1. exchange emergency contact information (phone numbers and email addresses) with trip participants;
2. be available and on-call at all times (24/7) during the sponsored trip to respond to trip participant concerns and problems as needed;
3. possess a full set of student participant information forms and emergency contact information at all times (24/7) during the sponsored trip and leave copies of said forms and sheets with a designee at the CUNY institution;
4. serve as the official university representative in cases of emergency;
5. coordinate emergency response and all communications between and among the college, the university, and the relevant persons and organizations on-site;
6. notify authorities at the local site immediately in the event that one or more trip participants cannot be accounted for or is missing;
7. ensure students receive medical attention by trained professionals in case of a medical emergency;5
8. be familiar with and follow all existing University policy and guidelines, including those on sexual harassment and confidentiality; and
9. conduct all appropriate follow-up activities, such as completing an incident report.

If no trip chaperone is required for the activity or event and the trip sponsor will not be accompanying the participants, then the trip sponsor will designate a trip contact person who will be available to the students at all times during the travel and activity. The name and phone number for the trip contact person must be included on the Off-Campus Student Travel Approval Form.

EMERGENCY PROCEDURES FOR TRIP SPONSORS AND CHAPERONES

As applicable, trip sponsors and trip chaperones shall:

a. develop a plan to anticipate potential unexpected events. Be prepared to contact (have contact information on person) and notify the appropriate campus service providers to timely address and handle university response;

b. contact local police or law enforcement to report theft, vandalism, or any other criminal activity;

c. contact the local emergency medical provider for medical emergencies;

d. contact the Chief Academic Officer, the Chief Student Affairs Officer, or the Office of Public Safety for emergencies;

e. complete any accident or incident reports within 24 hours;

f. report all injuries or illnesses to the Chief Academic Officer or Chief Student Affairs Officer, as appropriate. In the event that a participant is severely injured, requires hospitalization or experiences another event that requires a substantive change to the itinerary, contact the Chief Academic Officer or the Chief Student Affairs Officer to determine the best course of action. Trip chaperones must not leave a hospitalized student behind without program assistance.

g. report vehicle accidents to local police or law enforcement departments and to the appropriate campus officials;

h. be prepared to contact appropriate service providers;

5 NAFSA’s Guide to Education Abroad For Advisers and Administrators says, “Unless program directors and local staff are fully trained and certified in advanced first aid or licensed medical specialists, they should not provide medical services during a program except under the gravest and most critical emergency circumstances. All participation agreements should include language allowing program staff to apply first aid as a last resort before the arrival of emergency medical personnel.” NAFSA: Association of International Educators, NAFSA’s Guide to Education Abroad For Advisers and Administrators. Washington, DC, 2005, p. 578.
notify authorities at the site in the event that one or more students are missing or cannot be accounted for at the destination site. If, following an immediate search, the student(s) cannot be located, the trip sponsor/chaperone shall contact local police and a senior college administrator and shall make every effort to reach the student’s emergency contact. A trip sponsor/chaperone should remain at the site until all students are accounted for. The trip sponsor/chaperone in consultation with college officials shall determine whether other students should leave the site. Emergency contacts should be notified and kept updated as to the status of the search for the missing student(s).

OFF-CAMPUS STUDENT TRAVEL APPROVAL FORM

The Off-Campus Student Travel Approval Form must be completed by the Trip Sponsor and submitted to the Chief Student Affairs Officer for student organization travel or to the Chief Academic Officer for academic (class) related travel a minimum of one (1) month prior to travel. All organized travel is expected to follow the **CUNY Student Domestic Trip and Travel Guidelines**. These Guidelines can be found at ______________________________________. This Form must be approved by the Chief Student Affairs Officer or the Chief Academic Officer in order for travel to commence.

**To Be Completed by the Trip Sponsor.**

<table>
<thead>
<tr>
<th>Type of Trip:</th>
<th>☐ Academic Field Trip</th>
<th>☐ Student Organization Travel</th>
<th>☐ Other:__________________</th>
</tr>
</thead>
</table>

If the trip is Academic, identify the Course and Section: __________________________________________________________________

Trip Sponsor Name: ____________________________ Status (circle one): Faculty   Staff   Student  (please print legibly)

Title of Trip Sponsor: __________________________________________________________________

Name of College: ________________________________________________________________

Are you a club officer?   ☐ Yes   ☐ No  If yes, which office: __________________________

Cell Phone: (               ) _______________________________________________________

Alternative Phone: (               ) _______________________________________________________

Email: __________________________________________________________________

(To be completed by the Trip Sponsor or the Trip Chaperone/Contact Person)

All college sponsored/affiliated trips are required to be accompanied by a trip chaperone as outlined in the **Domestic Trip and Travel Guidelines** unless otherwise exempted. If the chaperone is different from the trip sponsor, please complete the following information. If you have more than one chaperone, please attach an additional page with complete information. If there is no chaperone, provide the information for the trip contact person.

Trip Chaperone/Trip Contact Person (circle one):
Title of Trip Chaperone/Trip Contact Person: ____________________________________________

Name of College: ____________________________________________________________________

Are you a club officer?  ❑ Yes  ❑ No  If yes, which office: ________________________________

Cell Phone: (               ) _______________________________________________________

Alternative Phone: (               ) ____________________________________________________

Email: ____________________________________________________________________________

(Please print legibly)

Approval (Signatures Required)

By signing, I certify I have read the Domestic Trip and Travel Guidelines and agree that the proposed activity satisfies all requirements.

___________________________________
Name of Trip Sponsor

___________________________________
Signature of Trip Sponsor          Date

The attached Off-Campus Student Travel Approval Form is hereby approved by the Chief Academic Officer or Chief Student Affairs Officer.

___________________________________
Name of Chief Academic Officer or Chief Student Affairs Officer

___________________________________
Signature of Chief Academic Officer or Chief Student Affairs Officer          Date

Destination of Travel/Event/Activity:

____________________________________________________________________________________

Description of Travel/Event/Activity:

____________________________________________________________________________________

Purpose of Travel: ______________________________________________________________________

____________________________________________________________________________________

Number of Students: _________________________________________________________________

Dates of Travel:  Departing Day: _______________ Time: _______________

Returning Day: _______________ Time: _______________

Transportation (Check all that apply):  ❑ Personal Vehicle  ❑ Car Rental  ❑ Train

❑ Plane  ❑ University Vehicle
APPENDIX B

Minutes of Proceedings, November 28, 2011

❑ Contracted Bus Service  ❑ Other _______________________________

Transportation Details (Please Provide Relevant Details):

❑ Driver’s Name:_____________________________

❑ DMV Number of Driver: ______________ Rental Service:_____________________________

❑ Name of Bus/Train/Airline Co.:_____________________________ Flight/Train Number(s): ______________

Will the travel require overnight lodging?       ❑ Yes       ❑ No

(IF yes, please complete the next section.)

❑ Name of Accommodation: ______________________________________________________________

❑ Type of Accommodation:

❑ Hotel ❑ Hostel ❑ College Residence Hall

❑ Retreat Center ❑ Personal Home ❑ Conference Center

❑ Other _______________________________

❑ Phone: (               )  _______________________________________________________

❑ Address: ___________________________________________________________________

❑ City:____________________________ State:_____ Zip:_____________________

* Attach additional sheets as necessary.

Please attach a complete trip itinerary and any other relevant attachments.

Off-Campus Activity Participation, Waiver, and Emergency Contact Form

(Domestic Travel)

PART A - To be completed by the Trip Sponsor and then distributed for completion by participating students

Description of Activity

College (“College”) of The City University of New York believes that participation in organized, off-campus activities by its students can be an important part of a student’s learning experience. Off-campus activities may, however, involve certain risks, both to the participating students and to the College/University. In order to participate, each student must read carefully, complete, and sign this Off-Campus Travel Participation, Waiver, and Emergency Contact Form and submit it to the Trip Sponsor prior to the Activity.

Description of Activity: _______________________________

Destination of Activity: _______________________________

Date(s) of Activity: _______________________________

Name of Trip Sponsor: _______________________________

Affiliation of Trip Sponsor to College/University: _______________________________

Name of Trip Chaperone: _______________________________

Contact Telephone Number on Date(s) of Activity: _______________________________
PART B - To be completed and signed by the participating student and, if under 18, his/her parent or legal guardian

Participation, Waiver and Release, and Emergency Contact Information

I wish to participate in the Activity, and in consideration for being permitted to participate in the Activity, I hereby represent and agree as follows:

- I understand that participation in the Activity involves risks and hazards not found in study at the College, including risks involved in traveling, and I have sought and obtained information and advice that I feel are necessary and appropriate. I am fully aware of and voluntarily assume the risks and hazards connected with participating, and I hereby voluntarily elect to participate in the Activity. I acknowledge, accept, and assume all such risks, whether or not foreseeable and whether or not caused by the negligent or intentional acts or omissions of others.

- Knowing these risks and hazards, and in consideration of being permitted to participate in the Activity, I agree, on behalf of my family, heirs, and personal representative(s), to assume all the risks and responsibilities surrounding my participation in the Activity. I understand that, although the University has made every reasonable effort to assure my safety while participating in the Activity, there are unavoidable risks, and I hereby release and promise not to sue the City of New York, the State of New York, the College, the University, and the officers, employees, agents, or representatives of any and all of them (“Released Parties”) for any damages or injury (including death) caused by, deriving from, or associated with my participation in the Activity, except for such damages or injury as may be caused by the gross negligence or willful misconduct of the officers, employees, agents, or representatives of any of them. It is my express intent that this Release bind my heirs, assigns, and personal representatives.

- I represent that my agreement to the provisions herein is wholly voluntary, and further understand that, prior to signing this Release, I have the right to consult with the adviser, counselor, or attorney of my choice.

- I will become informed of and conform my conduct to the standards surrounding the Activity and assume responsibility for my actions, understanding that the circumstances of an Activity may require a standard of behavior that may differ from that applicable on campus. I will comply with the University’s rules, standards, and instructions, for student behavior, including the College’s Code of Student Conduct and the Henderson Rules of Public Order. I acknowledge and understand that my compliance is important to the success of the Activity and to the University’s/College’s willingness to permit future similar activities. I waive and release all claims against the University that arise at a time when I am not under the direct supervision of the University or that are caused by my failure to remain under such supervision or to comply with such rules, standards and instructions.

- I agree that the University has the right to enforce the standards and conduct described herein, in its sole judgment, and that it may impose restrictions, up to and including removal and termination from the Activity, for violating these standards or for any behavior detrimental to or incompatible with the interest, harmony and welfare of the College, the University, the Activity or other participants. If I am terminated from the Activity, I consent to going home at my own expense with no refund of fees.

- I have no health-related reasons or problems that preclude or restrict my participation in the Activity. I have or will obtain and maintain health, accident, disability, hospitalization, and travel insurance as I deem necessary to participate in the Activity, and I will be responsible for the costs of such insurance and for any expenses not covered by insurance.

- I have disclosed to the College any physical, mental, and emotional conditions or problems, permanent or temporary, including special dietary and medication needs, or the need for visual or auditory aids that might impair my ability to participate in the Activity, and I hereby release the University and its trustees, officers, employees, agents, and representatives from any and all claims, demands, injuries, damages, losses, actions, causes of action, or expenses whatsoever arising out of my failure to disclose such conditions or problems.

- The University may, but is not obligated to, take any actions regarding my health and safety that it considers to be warranted under the circumstances. I hereby authorize the University to make such decisions as may be necessary if it is unable to reach the Emergency Contact Person named above. I agree to pay all expenses relating thereto and release the University from any liability for any such actions.

- I will assume full financial responsibility for all costs and expenses incurred by me in connection with the Activity, including, without limitation, financial responsibility for damage or destruction to property of third parties.
I will not hold myself out as having the power or authority to bind or create liability for the College or the University.

I agree that should any provision or aspect of this Participation, Waiver, and Emergency Contact Form be found to be unenforceable, that all remaining provisions will remain in full force and effect.

This waiver and release represents my complete understanding with the College and the University concerning their responsibility and liability for my participation in the Activity. It supersedes any previous or contemporaneous understandings I may have had with the College or the University on this subject, whether written or oral, and cannot be changed or amended in any way without my written concurrence.

I am printing my contact information below:

Name of Participant: CUNY ID:
Local Address:
City: State: Zip:
Cell Phone: Email address:

I am printing my emergency contact information below:

In case of emergency, notify:

Name: Relationship:
Phone numbers: day evening

Check one:
___ I am at least eighteen years old.
___ I am not yet eighteen years old, so I have secured the signature of my parent or guardian (see next page) as well as my own.

I wish to participate in the Activity, I have read and completed this Off-Campus Activity Participation, Waiver, and Emergency Contact Form carefully, and I am signing it voluntarily.

Date: Signature: _________________________________

If participating student completing and signing this form is under the age of 18, then the following pages must be completed and signed by the student’s parent or legal guardian.

IF STUDENT IS UNDER THE AGE OF 18, THEN THE STUDENT’S PARENT OR LEGAL GUARDIAN MUST COMPLETE AND SIGN THE FOLLOWING:

a. I am the parent or legal guardian of the student named above who signed above.

b. I give my permission for my child to take part in the Activity described on the first page of this form with the understanding that there are potential risks associated with the Activity.
c. I understand that the student is expected to behave responsibly and to follow the University’s discipline code and policies.

d. I agree that in the event of an emergency injury or illness, the staff member(s) in charge of the Activity may act on my behalf and at my expense in obtaining medical treatment for the student.

e. I have read this Off-Campus Travel Participation, Waiver, and Emergency Contact Form, and I confirm that the information provided by the student is accurate and complete.

f. I am and will be legally responsible for the obligations and acts of the student as described in this form, (including such parts as may subject me to personal financial responsibility),

g. I agree, for myself and for the student, to be bound by its terms.

_________________________________________  _________________________________________
Print First and Last Name of Parent or Guardian    Signature of Parent or Guardian

If student is under the age of 18 and the Activity includes overnight stay(s), then the parent or guardian’s signature must be notarized.

STATE OF ________________________________ )
                                    ) ss.:  
COUNTY OF ________________________________ )

On the __________ day of _________________ in the year ______________ before me, the undersigned, personally appeared ____________________________________________________________, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in her/his capacity, and that by her/his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_________________________________________  
Notary Public
ARTICLE I MEETINGS OF THE BOARD

SECTION 1.1. REGULAR MEETINGS.

a. Regular meetings of the board of trustees shall be held in accordance with a schedule disseminated no later than August 1 of each year. Regular meetings shall be open to the general public.

b. Notice of the hour, place, and agenda for each regular meeting shall be mailed to the usual address of every trustee of the board by the secretary at least seven days before the meeting. All regular meetings shall be held at such place and time as shall be determined by the chairperson or by the board.

c. Public notice of the hour, place, and agenda of each regular meeting of the board shall be given at least seven days before the meeting to the respective colleges, to the news media, and to such educational and civic organizations as may request the same, as well as to any duly authorized collective negotiation representative. The agendas for such meetings shall be available electronically on the city university of New York website three days prior to the meeting.

d. A summary of resolutions and board actions for each regular meeting shall be electronically available on the city university of New York website no later than seven days after the meeting. The approved minutes, attendance, voting record, and video record for each regular meeting shall be posted on the website no later than seven days following their approval by the board. Information posted on the city university of New York website regarding board of trustees’ meetings shall remain on the site as archived data for a minimum of ten years.

SECTION 1.2. SPECIAL MEETINGS.

a. The chairperson, the vice chairperson, or any five trustees acting by petition, may at any time call a special meeting of the board and fix the date, time, and place therefor. Special meetings shall be open to the general public.

b. Notice of the date, hour, and place of every special meeting shall be by written or telephonic notice to each trustee from the secretary or the designee of the secretary at least twenty-four hours before the meeting.

c. Public notice of the date, hour, and place of a special meeting scheduled at least one week prior thereto shall be given to the respective colleges, to the news media, and to such educational and civic organizations as may request the same, as well as to any duly authorized collective negotiation representative, at least seventy-two hours before such meeting. Such notice of a special meeting scheduled less than one week prior thereto shall be given, to the extent practicable, at a reasonable time prior thereto. The agenda for such special meetings shall be available electronically on the city university of New York website twenty-four hours prior to the special meeting.

d. A summary of the resolutions and board actions for any special meeting shall be electronically available on the city university of New York website no later than seven days after the meeting. The approved minutes, attendance, voting record, and video record for each special meeting shall be posted on the website no later than seven days following their approval by the board.

SECTION 1.3. EXECUTIVE SESSIONS.

The board may conduct executive sessions, with attendance limited to members and invitees, as follows: Upon a vote taken at a regular or special meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the board may conduct an executive session for the below enumerated purposes either forthwith or at a date, time, and place to be determined by the chairperson of which the board members shall be notified in advance unless such notice be waived in writing:

1. Matters which will imperil the public safety if disclosed;

2. Any matter which may disclose the identity of a law enforcement agent or informer;
3. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;

4. Discussions regarding proposed, pending, or current litigation;

5. Collective negotiations pursuant to article fourteen of the civil service law;

6. The medical, financial, credit, or employment history of any person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline suspension, dismissal, or removal of any person;

7. The preparation, grading, or administration of examinations;

8. The proposed acquisition, sale, or lease of real property, but only when publicity would substantially affect the value of the property.

SECTION 1.4. MINUTES.

a. Minutes shall be taken at all regular and special meetings of the board, which shall consist of a record or summary of all motions, proposals, resolutions, and any other matters formally voted upon, and the vote thereon.

b. Minutes shall be taken at executive sessions of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary shall not include any matter which is not required to be made public by the freedom of information law of the State of New York.

c. Minutes of executive sessions shall be made available for inspection and copying within one week from the date of the executive session.

SECTION 1.5. QUORUM OF THE BOARD.

Nine trustees of the board shall constitute a quorum.

SECTION 1.6. PRESIDING OFFICER.

If the chairperson does not attend a meeting at which a quorum is present, the vice chairperson may call the meeting to order and preside. In the event that neither the chairperson nor the vice chairperson will be present, the chairperson shall designate another trustee to call the meeting to order and preside.

SECTION 1.7. ORDER OF BUSINESS.

The calendar of the board shall be prepared in such form as the board may determine from time to time. The order of business may be determined by resolution of the board.

SECTION 1.8. PARLIAMENTARY PROCEDURE.

Except as herein otherwise specifically provided, the board shall be governed in its procedure by parliamentary rules and usage as set forth in the most recent edition of Robert's Rules of Order.

SECTION 1.9. PUBLIC HEARINGS.

a. The board shall schedule public hearings on the adoption of its expense budget, capital budget, and master plan. The board in the exercise of its judgment may schedule such other hearings as it may determine.
b. The board shall hold a public hearing on the agenda of a regular meeting no less than three days before the meeting. Upon notification received by the secretary one day in advance of the hearing, persons will be permitted to speak to items on the agenda and to submit written statements relating thereto. The chairperson, or the vice chairperson in the chairperson's absence, shall assign one or more board trustees to conduct such hearing. A substantive summary of written statements received at such hearings shall be distributed to the trustees of the board prior to the regular meeting.

SECTION 1.10. BOROUGH PUBLIC HEARINGS.

a. The board shall hold at least one public hearing each year in each of the five boroughs of the city of New York to receive testimony and statements from concerned individuals about City University issues.

b. The time, place, duration, and format of each hearing shall be determined by the board.

c. Notice of the hearing shall be given by the chairperson of the board, not less than thirty days before each hearing, to all the trustees, to all presidents of educational units, to the chairpersons of faculty senate bodies of educational units, to all student government presidents of educational units, to the borough presidents, to the members of the city council, to the local community boards of the borough where the hearing is to be held, and to the news media. The notice shall contain the time, place, and date of the public hearing.

d. At least three trustees shall attend each hearing.

ARTICLE II OFFICERS OF THE BOARD

SECTION 2.1. OFFICERS.

The officers of the board shall be the chairperson, the vice chairperson, the general counsel, and the secretary.

SECTION 2.2. TERM OF OFFICE.

a. The term and manner of selection of the trustees of the board shall be as provided for in section 6204 of the education law.

b. A chairperson and a vice chairperson shall be appointed and shall serve as provided for in section 6204(2)(d) of the education law.

c. The general counsel and the secretary shall serve at the pleasure of the board.

SECTION 2.3. DUTIES OF THE CHAIRPERSON.

a. The chairperson shall preside at all meetings of the board, shall be a member ex officio of all committees, and shall be entitled to vote at all meetings of the board and of all its committees. Unless otherwise provided herein or otherwise determined by the board, the chairperson shall name the members and designate the chairperson of all standing and special committees. The chairperson is hereby empowered to execute all documents, receipts, releases, or other instruments requiring the signature of an authorized representative of the board.

b. By virtue of his/her office, the chairperson is the spokesperson through whom the board announces and publicizes board actions or decisions primarily within the board's statutory fields of governance and policy-making; and within those fields he/she has the principal (but not exclusive) responsibility for board communications and board dealings with the mayor of the city, the governor of the state, the executive department of the United States, legislators, and governmental departments of the city, state, and nation.

c. In his/her capacity as chairperson he/she will receive and may answer communications addressed to the board or to himself/herself in his/her official capacity.
d. Where a board committee has in hand matters connected with a governmental department, the committee's chairperson may, for the purposes of the committee, confer with such department, after first notifying the chairperson of the board of the circumstances.

SECTION 2.4. DUTIES OF THE VICE CHAIRPERSON.

The vice chairperson shall preside, in the absence of the chairperson of the board, at all meetings of the board; shall be a member ex officio of all standing committees of the board; and shall be entitled to vote at all meetings of all such standing committees unless the chairperson of the board be present and voting. If the position of chairperson of the board is vacant, the vice chairperson shall exercise all the duties of the chairperson.

SECTION 2.5. DUTIES OF THE GENERAL COUNSEL.

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

SECTION 2.6. DUTIES OF THE SECRETARY.

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

ARTICLE III COMMITTEES OF THE BOARD

SECTION 3.1. STANDING AND SPECIAL COMMITTEES.

a. The board shall have standing committees on academic policy, programs and research, faculty staff and administration, fiscal affairs, facilities planning and management, and student affairs and special programs, as well as any other special committees and subcommittees that the board may establish by resolution. The membership of standing and special committees of the board shall be determined by the chairperson.

b. The procedures for providing notice of the meetings of all standing and special committees and subcommittees, and for making the agenda, summary of resolutions and minutes for such meetings available on the city university of New York website, shall be the same as they are for regular board meetings.

SECTION 3.2. EXECUTIVE COMMITTEE.

a. The board shall also have an executive committee, which shall consist of the chair of the board, the vice chair of the board, the chair of the committee on academic policy, program, and research, the chair of the committee on faculty, staff and administration, the chair of the committee on fiscal affairs, the chair of the committee on facilities planning, and management
and the chair of the committee on student affairs and special programs. Four members shall constitute a quorum for the transaction of business.

b. The executive committee may meet in intervals between meetings of the board and at such times that the chairperson of the board may convene it, upon the request of the chancellor or his/her designee. The agenda for any executive committee meeting must be made available electronically on the city university of New York website twenty-four hours in advance. The executive committee may take any actions that could have been taken by the board of trustees, except to grant degrees, to make removals from office or to amend these bylaws, upon the determination that it would be detrimental to the University to delay the advancement of the matter until the next regularly scheduled meeting of the Board of Trustees.

c. Certification of such determination and all actions of the executive committee shall be reported to all members of the board no later than the next scheduled meeting. Notice of such actions shall also be placed on the agenda of the next scheduled meeting of the board.

d. A summary of the resolutions for any executive committee meeting shall be electronically available on the city university of New York website no later than seven days after the meeting. The approved minutes, attendance, voting record, and video record for each executive meeting shall be posted on the website no later than seven days following their approval by the board.

e. Notice of executive committee meetings shall be given in the same manner as it is given for special meetings of the board.

ARTICLE IV THE COUNCIL OF PRESIDENTS

SECTION 4.1. THE COUNCIL OF PRESIDENTS.

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

SECTION 4.2. FUNCTIONS OF THE COUNCIL OF PRESIDENTS.

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

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

b. To recommend to the chancellor procedures and policies that affect more than one of the constituent colleges.

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

d. To advise the chancellor concerning the operating and capital budgets of the entire university system. The presidents are specifically charged with the administration of their respective institutions and in this capacity they are responsible directly to the chancellor and through the chancellor to the board.

ARTICLE V MISCELLANEOUS PROVISIONS

SECTION 5.1. AMENDMENTS TO BYLAWS.

An amendment to the bylaws may be adopted at any regular or special meeting of the board succeeding the regular or special meeting at which it was proposed. Copies of the proposed amendment must be mailed to each trustee of the board at least ten days before it is voted upon, together with a statement of the name of the introducer and of the meeting at which it is to be acted upon.
Copies of the proposed amendments shall be delivered to the collective negotiation representative if required by a contract entered into with such representative. No proposed amendment shall be adopted except upon the affirmative vote of nine trustees of the board.

The above provision insofar as it requires that amendments to the bylaws be proposed at a meeting preceding the meeting at which a vote is taken may be waived by the unanimous consent of the trustees of the board present.

SECTION 5.2. WAIVER OF THE BYLAWS.

Any other provision of these bylaws may be waived for a particular purpose at any meeting of the board by the affirmative vote of nine trustees of the board.

ARTICLE VI INSTRUCTIONAL STAFF

SECTION 6.1. INSTRUCTIONAL STAFF.

The board hereby establishes the following instructional staff titles:

Chancellor
Chancellor emeritus
Executive vice chancellor
Chief operating officer
Senior vice chancellor
Vice chancellor
Associate vice chancellor
University provost
Secretary of the board
University administrator
University associate administrator
University assistant administrator
President
Dean of the City University School of Law
Dean of the Graduate School of Journalism
Dean of the Sophie Davis School of Biomedical Education
Senior vice president
Vice president
Assistant vice president
University dean
University associate dean
University assistant dean
Dean
Associate dean
Assistant dean
Administrator
Associate administrator
Assistant administrator
Distinguished professor
University professor
Professor
Associate professor
Assistant professor
Einstein professor
Visiting distinguished professor
Clinical Professor
Distinguished lecturer
Distinguished lecturer – medical series
Distinguished lecturer – law school series
Medical professor (basic sciences)
Associate medical professor (basic sciences)
Assistant medical professor (basic sciences)
Medical lecturer
Adjunct medical professor (basic sciences)
Adjunct associate medical professor (basic sciences)
Adjunct assistant medical professor (basic sciences)
Adjunct medical lecturer
Medical professor (clinical)
Associate medical professor (clinical)
Assistant medical professor (clinical)
Adjunct medical professor (clinical)
Adjunct associate medical professor (clinical)
Adjunct assistant medical professor (clinical)
Law school distinguished professor
Law school university professor
Law school non-teaching adjunct
Law school professor
Law school associate professor
Law school assistant professor
Law school instructor
Law school library professor
Law school library associate professor
Law school library assistant professor
Law school adjunct professor
Law school adjunct associate professor
Law school adjunct assistant professor
Law school adjunct instructor
Law school lecturer
Visiting professor
Visiting associate professor
Visiting assistant professor
Adjunct professor
Adjunct associate professor
Adjunct assistant professor
Adjunct lecturer
Adjunct lecturer (doctoral student)
Lecturer (full-time)
Lecturer (part-time)
Visiting lecturer
Instructor
Instructor (nursing science)
Research associate
Research assistant
Graduate assistant (a-d)
Senior registrar
Associate registrar
Chief college laboratory technician
Adjunct chief college laboratory technician
Senior college laboratory technician
Adjunct senior college laboratory technician
College laboratory technician
Adjunct college laboratory technician
College physician
Higher education officer
Higher education associate
Higher education assistant
Assistant to higher education officer
Continuing education teacher
Non-teaching adjunct (I-V)
Non-teaching adjunct (doctoral student)
Affiliated professional

and in the Hunter College Elementary School and Hunter College High School

Principal
Chairperson of department
Assistant principal
Teacher
Assistant Teacher
Temporary teacher
Campus schools college laboratory technician
Campus schools senior college laboratory technician
Guidance counselor
Placement director
Education and vocational counselor
Librarian
Substitute teacher
Occasional per diem substitute teacher

and in the childhood centers

Teacher
Assistant teacher

And in the educational opportunity centers (EOC)

Educational opportunity center adjunct lecturer
Educational opportunity center adjunct college laboratory technician
Educational opportunity center college laboratory technician
Educational opportunity center higher education officer
Educational opportunity center higher education associate
Educational opportunity center higher education assistant
Educational opportunity center assistant to higher education officer
Educational opportunity center lecturer

SECTION 6.2. PERMANENT INSTRUCTIONAL STAFF - TENURE.

The permanent instructional staff shall consist of those persons who have been granted tenure under any of the provisions enumerated in subds. a through e below.

a. (1) Appointments before September 1, 2006 – A person employed before September 1, 2006 full-time on an annual salary in the title of professor, associate professor, assistant professor, 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, instructor (nursing science), senior registrar, registrar, associate registrar, assistant registrar, chief college laboratory technician, senior college laboratory technician, college laboratory technician, and in the hunter college high school and hunter college elementary school (but not in the early childhood center program), principal, chairperson of department, teacher, guidance counselor, and librarian, or in any grade or position which the board in its discretion may add hereto, who after serving on an annual salary in any of the above titles for five full years continuously, has been appointed or shall be appointed for a sixth full year, shall have tenure effective on the first day of September following his/her reappointment for the sixth full year.

(2) Appointments on or after September 1, 2006

 a) A person employed on or after September 1, 2006 full-time on an annual salary in the title of professor, associate professor, assistant professor, 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 or in any grade or position which the board in its discretion may add hereto, who after serving on an annual salary in any of the above titles for seven full years continuously, has been appointed or shall be appointed for an eighth full year, shall have tenure effective on the first day of September following his/her reappointment for the eighth full year.

 b) A person employed on or after September 1, 2006 full-time on an annual salary in the title of chief college laboratory technician, senior college laboratory technician, college laboratory technician, and in the hunter college high school and hunter college elementary school (but not in the early childhood center program), chairperson of department, teacher, guidance counselor, librarian, campus schools college laboratory technician, and campus schools senior college laboratory technician, and in the educational opportunity centers, educational opportunity center college laboratory technician, or in any grade or position which the board in its discretion may add hereto, who after serving on an annual salary in any of the above titles for five full years continuously, has been appointed or shall be appointed for a sixth full year, shall have tenure effective on the first day of September following his/her reappointment for the sixth full year.

b. A distinguished person of proven record appointed to the title of associate professor or the title of professor, who had tenure in another accredited institution of higher learning, may be appointed with immediate tenure by the board in its discretion.

c. (1) Appointments before September 1, 2006 – A person appointed to the title of professor, associate professor, or assistant professor may be granted early tenure by the board in its discretion, under these bylaws, after not less than one nor more than five years of continuous satisfactory service on an annual salary basis, when such service is interrupted by the period of a fellowship deemed by the college valuable to it, when for a very substantial reason the college would be well served by such early grant of tenure or when the person has had tenure in another accredited institution of higher learning.

(2) Appointments on or after September 1, 2006 – A person appointed to the title of professor, associate professor, or assistant professor may be granted early tenure by the board in its discretion, under these bylaws, after not less than one nor more than seven years of continuous satisfactory service on an annual salary basis, when such service is interrupted by the period of a fellowship deemed by the college valuable to it, when for a very substantial reason the college would be well served by such early grant of tenure or when the person has had tenure in another accredited institution of higher learning.

d. A person who has attained tenure under the provisions of section 6.2 of these bylaws in an educational unit under the jurisdiction of the board of trustees, and who is subsequently appointed to a comparable position on an annual salary basis in another educational unit under the jurisdiction of the board, shall retain his/her tenure.

e. Where an appointee begins his/her service after September thirtieth the tenure period shall not begin until the succeeding September first, and when an appointment is made during the month of September, the appointment shall date as of September first of that year for the purposes of tenure.
SECTION 6.3. APPOINTMENTS WITHOUT TENURE.

Nothing contained in this article shall be construed as conferring or permitting tenure, or service credit toward the achievement of tenure, in any instructional staff position other than those listed in Section 6.2 above. However, appointment to any non-tenurable position, or removal therefrom, shall not deprive the person so appointed or removed of tenure in the highest position on the staff held with tenure prior to his/her appointment to such office, or conjointly with such office, nor shall such appointment or removal deprive any person of service credit toward the achievement of tenure under the provisions of this article.

SECTION 6.4. APPOINTMENTS TO THE INSTRUCTIONAL STAFF - NOTICES.

a. All full-time appointments to the instructional staff, except as otherwise provided, shall be made by the board upon the recommendation of the chancellor.

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

c. In the case of the appointment or removal of a chancellor, the affirmative vote of a majority of all members of the board shall be required.

d. Each appointment, other than appointments in the executive compensation plan, shall terminate at the terminal date specified in the appointment. There shall be a university standard letter of appointment. The notice shall state specifically that the appointment is of a temporary nature; that it is subject to financial ability; shall give the terminal date of the appointment, and shall add that services beyond the period indicated in the notice of appointment are possible only if the board takes affirmative action to that effect.

e. In the position of instructor, there shall be no more than four successive annual reappointments.

f. Appointments and reappointments to a full-time position on the instructional staff shall be considered final when formally approved by the board.

SECTION 6.5. TRANSFERS, REASSIGNMENTS, PROMOTIONS.

a. Neither tenure nor the period requisite for the achievement of tenure shall be affected by transfer within the city university or by promotion or change of title, except that a person upon whom tenure has been conferred and who may be transferred or promoted to any position in the city university, or whose title may be changed, shall have tenure in his/her new position, provided such position is on the permanent instructional staff, and further provided that the transfer does not involve a change from the administrative staff to the instructional staff.

b. Nothing herein contained shall be construed to prevent the board from assigning any person having tenure to any appropriate position on the staff, but no such assignment shall carry with it a reduction in rank or a reduction in salary other than the elimination of any additional emolument provided for administrative positions.

ARTICLE VII ACADEMIC DUE PROCESS

SECTION 7.1. DISCIPLINARY PROCEDURE FOR INSTRUCTIONAL STAFF COVERED BY A COLLECTIVE BARGAINING AGREEMENT

All instructional staff members whose employment is governed by a collective bargaining agreement shall be subject to the disciplinary process set forth in that agreement.
SECTION 7.2. DISCIPLINARY PROCEDURE FOR INSTRUCTIONAL STAFF NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT

All instructional staff members other than members of the executive compensation plan who are not covered by any collective bargaining agreement, or who are represented by a union at such time that an expired collective bargaining agreement has not been continued by operation of law, shall be subject to disciplinary procedures established by chancellor or his/her designee, except that in cases involving the removal of tenured faculty, the procedures shall be those set forth in section 6212(9) of the education law.

ARTICLE VIII ORGANIZATION AND DUTIES OF THE FACULTY

SECTION 8.1. DEFINITION OF FACULTY RANK.

The presidents, vice presidents, deans, associate and assistant deans with underlying professorial appointments, and all persons who are employed full-time on an annual salary basis in titles on the permanent instructional staff, except college laboratory technicians, shall have faculty rank. All persons having faculty rank shall have the right to vote both in the faculty of which they are members and in their respective departments provided, however, that they have not received notice of non-reappointment, or submitted a resignation. A person with faculty rank who is retiring shall retain his/her voting rights during his/her last year of active service, except while on Travia leave. Members with faculty rank in the Hunter College High School and the Hunter College Elementary School shall be subject to the limitations in section 8.3. which refer to them.

SECTION 8.2. DEFINITION OF FACULTY STATUS.

Persons employed full-time in the titles of instructor, lecturer (full time), distinguished lecturer or clinical professor, shall have faculty status. All persons having faculty status shall have such voting rights as they are entitled, provided, however, that they have not received notice of non-reappointment, or submitted a resignation. A person with faculty status who is retiring shall retain his/her voting rights during his/her last year of active service, except while on Travia leave.

SECTION 8.3. THE FACULTY, EXCEPT IN THE GRADUATE SCHOOL.

The faculty (except in the graduate school) shall consist of all persons having faculty rank or faculty status and such other individual members of the instructional staff as the faculty may add based on their educational responsibilities except that members with faculty rank in the Hunter College High School and the Hunter College Elementary School shall have membership in the faculties of their respective schools, and shall have membership in the faculty of hunter college only if they have faculty rank or status concurrently in the faculty of hunter college.

SECTION 8.4. THE FACULTY OF THE GRADUATE SCHOOL.

The faculty of the graduate school shall include the president of the graduate school, the provost or vice president of academic affairs, vice presidents and deans of the graduate school with underlying faculty appointments, and the members of the faculty in each doctoral and master’s program, as defined in the governance plan, and such other individual members of the instructional staff as the faculty may add because of their educational responsibilities.

SECTION 8.5. DUTIES OF FACULTY.

The faculty shall meet at least once in each semester, or often, upon call by the president or by petition of ten per cent of its members. The faculty shall be responsible, subject to guidelines, if any, as established by the board, for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefor, student attendance including leaves of absence, curriculum, awarding of college credit, granting of degrees. It shall make its own bylaws, consistent with these bylaws, and conduct the educational affairs customarily cared for by a college faculty. The president shall preside at its meetings, or in his/her absence, the dean of faculty or a dean designated by the president.
SECTION 8.6. FACULTY/ACADEMIC COUNCILS.

Each college shall have a faculty or academic council, which shall be the primary body responsible for formulating policy on academic matters. The composition of a college's faculty or academic council shall be set forth in its governance plan approved by the board of trustees.

SECTION 8.7. COMMITTEE ON FACULTY PERSONNEL AND BUDGET.

a. There shall be in each college a committee on faculty personnel and budget or equivalent committee. The chairperson of this committee shall be the president. The members of the committee may include the department chairs, the vice president of academic affairs and one or more deans designated by the president.

b. This committee shall receive from the several departments all recommendations for annual appointments to full-time faculty titles, including annual appointments to the titles distinguished lecturer, clinical professor, lecturer and instructor as well as titles in the college laboratory technician series, reappointments thereto, with or without tenure, and promotions therein, together with compensation; it shall recommend action thereon to the president. The committee may also recommend to the president special salary increments. The president shall consider such recommendations in making his/her recommendations on such matters to the chancellor.

c. Within the period prescribed by the chancellor, the president shall prepare the annual tentative budget and submit it to the committee for its recommendations. The committee shall make its recommendations within the period prescribed by the chancellor and submit them to the president. The president shall submit to the chancellor, within the period prescribed by the chancellor, such tentative annual budget, together with his/her comments and recommendations and any comments and recommendations of the committee.

SECTION 8.8. APPOINTMENTS AND PROMOTIONS IN THE GRADUATE SCHOOL.

a. For faculty positions at the graduate school in a doctoral program, the appointment, reappointment, promotion, and tenure shall be processed in accordance with procedures in the graduate school's governance plan.

b. The president, pursuant to his/her responsibility for conserving and enhancing the educational standards of the graduate school, may recommend an appointment to any professorial rank and upon such appointment may designate such person as executive officer for the program. Before recommending such original appointment or designation, the president shall confer with members of the program.

SECTION 8.9. PROCEDURE FOR COLLEGE COMMITTEES ON FACULTY PERSONNEL AND BUDGET OR THEIR EQUIVALENT.

Each college committee on faculty personnel and budget or its equivalent shall keep minutes of its proceedings conforming insofar as is practicable to the most recent edition of Robert's Rules of Order. The actions of the committee shall be by secret ballot and the results of the balloting shall be duly recorded in its minutes. All records of the proceedings with respect to a candidate shall be filed in the candidate's administration file, available only to the committees and individuals responsible for the review and recommendation of appointments, reappointments, promotions, and tenure. It shall be the duty and responsibility of the president, or his/her designee, to communicate to the candidate the action of the committee but no reason shall be assigned for the action taken. The affirmative recommendation of the committee shall be submitted to the president. A negative recommendation of the committee shall be final unless an appeal filed by the employee is successful.

SECTION 8.10 UNIVERSITY FACULTY SENATE.

There shall be a university faculty senate, responsible, subject to the board, for the formulation of policy relating to the academic status, role, rights, and freedoms of the faculty, university level educational and instructional matters, and research and scholarly activities of university-wide import. The powers and duties of the university faculty senate shall not extend to areas or interests which fall exclusively within the domain of the faculty councils of the constituent units of the university. Consistent with the powers of the board in accordance with the education law and the bylaws of the board, the university faculty senate shall make its own bylaws.
providing for the election of its own officers, the establishment of its own rules and procedures for the election of senators, for its internal administration and for such other matters as is necessary for its continuing operations.

SECTION 8.11. COLLEGE GOVERNANCE PLANS.

The provisions in duly adopted college governance plans shall supersede any inconsistent provisions contained in this article.

ARTICLE IX ORGANIZATION AND DUTIES OF FACULTY DEPARTMENTS

SECTION 9.1. DEPARTMENT ORGANIZATION.

a. Each department, subject to the approval of the faculty or faculty council, where existent, and subject to the provisions of other sections of these bylaws, shall have control of the educational policies of the department through the vote of all of its members who have faculty rank or faculty status; and if it may also choose to permit a vote on departmental matters by persons in visiting professorial titles and other members who have been appointed on an annual salary basis for a first or second year of full-time service. The right to vote for the election of department chairpersons and the departmental committee on personnel and budget, referred to in some colleges as the departmental committee on appointments, shall be reserved to those with faculty rank.

b. The executive officer of the department shall be the department chairperson who shall be a professor, associate professor or assistant professor elected by secret ballot for a term of three years, except as provided below, by a majority vote of all the members of the instructional staff of the department who have faculty rank. Proxy or mail voting shall not be permitted. The department chairperson must be tenured or have been approved by the board for tenure at the time of his/her election, except in departments less than seven years old. Such elections shall be subject to the subsequent approval of the president and the board. The present system of staggered departmental elections shall be continued. The successors of department chairpersons shall be elected during the first full week in May at the expiration of the respective terms of office to take office as of July first of the year in which they are elected and at the three year intervals thereafter. Vacancies shall be filled by election for the unexpired term. Notwithstanding anything in the foregoing to the contrary, in the library department, the president of the college shall from time to time recommend a member of the department to the board for designation as chairperson.

c. In any case where the president does not approve the election of a department chairperson, or at such other time as the interests of the college may require the removal of a chairperson and the appointment of a new one, he/she shall confer with the department and thereafter shall report to the board, through the chancellor any subsequent action by the department with respect thereto, together with his/her own recommendation for a chairperson. The recommendation by the president to the board, through the chancellor, for the designation of the department chairperson should take place only after careful consideration by the president of the qualifications of those selected by the respective departments. The president shall base his/her recommendation on the capacity of the individual selected to act effectively as the departmental administrator and spokesperson and as a participant in the formation, development, and interpretation of college-wide interest and policy.

d. Where there are fewer than three tenured professors, associate professors, and assistant professors in a department, the president may, except where the department has been in existence for less than seven years, after consultation with the departmental faculty, recommend the appointment of a chairperson to the board from among the members of the department holding professorial rank. Where the department chairperson is recommended by the president pursuant to this subdivision, subdivision "c" of this section, or subdivision "a" of section 9.5, the chairperson need not be tenured.

e. Each department shall operate as follows, unless the governance plan provides otherwise: There shall be in each department a department committee on personnel and budget, referred to in some colleges as a department committee on appointments, consisting of the department chairperson and where possible, of four other members who must have faculty rank. The number of members of faculty rank shall not affect provision for student membership, if a college governance plan so provides. Four of the faculty members of the committee must be tenured, except if the department has fewer than four tenured faculty members. The department chairperson shall be the chairperson of the committee. The four faculty members shall be elected by a majority vote of those persons in the department having faculty rank. Election shall be held at the same time that the department
chairperson is elected. A vacancy in the office of the chairperson prior to expiration of his/her term when such vacancy necessitates an election for a new chairperson shall not affect the term of the committee. A president may remove a member of the personnel and budget committee, for good cause, at the request of a majority of the members of such committee. Such request shall be in writing, and the member whose removal is sought shall have an opportunity to respond. If a member of the personnel and budget committee is removed by the President, an election shall be held to fill the vacancy.

In departments with fewer than four tenured faculty members, the president after consultation with the departmental faculty, shall appoint an ad hoc committee to make recommendations on appointments with tenure in lieu of a committee on appointments or a departmental committee on personnel and budget.

f. There shall be a committee on personnel and budget for the Hunter College Elementary School and a committee on personnel and budget for the Hunter College High School. The committee in each school shall consist of the principal, as chairperson, a designee of the provost of hunter college, and three members of the instructional staff of the school, elected for a term of three years by members of the permanent instructional staff of the school. These committees shall have in each school, insofar as practicable, the same functions as are assigned by these bylaws to a departmental committee on personnel and budget in a college.

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

SECTION 9.2. PROCEDURES FOR DEPARTMENT COMMITTEES.

Each department committee shall keep minutes of its proceedings conforming insofar as is practicable to the most recent edition of Robert's Rules of Order. It is the responsibility of the department chairperson, except as specified below, to circulate the minutes of each departmental committee to all members of the department.

The actions of the appropriate committee concerned with instructional staff appointments, reappointments, reappointments with tenure, and promotion shall be by secret ballot, and the result of the balloting shall be duly recorded in its minutes. All records of the proceedings with respect to a candidate shall be filed in the candidate's administration file, available only to the committees and individuals responsible for the review and recommendation of appointments, promotion, and tenure. It shall be the duty and responsibility of the department chairperson to communicate to the candidate the action of the committee, but no reason shall be assigned for the action taken. The affirmative recommendations of the committee shall be submitted by the department chairperson to the president and appropriate college committee on personnel and budget in accordance with procedures set forth in the bylaws of the board.

SECTION 9.3. DUTIES OF DEPARTMENT CHAIRPERSON.

a. The department chairperson shall be the executive officer of his/her department and shall carry out the department's policies, as well as those of the faculty and the board which are related to it. He/she shall:

1. Be responsible for departmental records.

2. Assign courses to and arrange programs of instructional staff members of the department.

3. Initiate policy and action concerning the recruitment of faculty and other departmental affairs subject to the powers delegated by these bylaws to the staff of the department in regard to educational policy, and to the appropriate departmental committees in the matter of promotions and appointments.

4. Represent the department before the faculty council or faculty senate, the faculty, and the board.

5. Preside at meetings of the department.

6. Be responsible for the work of the department's committee on appointments or the department's committee on personnel and budget which he/she chairs.
7. Prepare the tentative departmental budget, subject to the approval by the department's committee on appointments or the department's committee on personnel and budget.

8. Transmit the tentative departmental budget with his/her own recommendations to the president or the dean or provost as the president may designate.

9. Arrange for careful observation and guidance of the department's instructional staff members.

10. Make a full report to the president and to the college committee on faculty personnel and budget of the action taken by the department committee on personnel and budget or department committee on appointments when recommending an appointee for tenure on the following, as well as any other criteria set forth in university policies:

   a. Teaching qualifications and classroom work.

   b. Relationship of the appointee with his/her students and colleagues.

   c. Appointee's professional and creative work.

11. Hold an annual evaluation conference with every member of the department after observation and prepare a memorandum thereof.

12. Generally supervise and administer the department.

b. Each library, where size makes it practicable, shall constitute an instructional department of the college. The chairperson thereof shall be designated by the president. Such chairperson, in addition to the duties of department chairperson as enumerated in paragraph “a” of this section, shall be charged with the administration of the library facilities of his/her college and shall perform such other duties as the president may assign. Such chairperson is hereby authorized to use the additional title of “chief librarian.”

c. Where student personnel services are constituted an instructional department of the college, the dean of students shall be the department chairperson.

SECTION 9.4. PROGRAM STRUCTURE IN THE GRADUATE SCHOOL AND UNIVERSITY CENTER.

a. The faculty of each doctoral program shall meet at least once each year. A quorum shall consist of 25 people or 50% of the faculty, whichever is smaller. The faculty shall have overall responsibility for establishing policies for the program. It shall make recommendations to the graduate council with respect to curriculum, and to the president with respect to special program requirements for the admission and retention of students and for the granting of doctoral degrees, the awarding of university grants and fellowships, and any other matters affecting the welfare of the program. It shall be responsible for the policies governing the various qualifying examinations for the doctoral degree.

b. Each doctoral program shall have an executive officer responsible for administering the affairs of the program in accordance with the policies established by the program faculty, the graduate council, and the board of trustees. The executive officer shall be appointed by the president for a term not exceeding three years taking into account nominations received from the faculty and students of the program. The executive officer may be reappointed. The executive officer is subject to removal by the president, prior to which the president shall confer with members of the program.

c. There shall be established in each doctoral program an executive committee to be composed of at least five members. The structure and membership of each executive committee is to be determined by the program's faculty subject to approval by the president. It shall include at least one faculty member from each senior college substantially participating in the program ("substantially participating" shall be defined as having six members on the faculty of the program).
The executive committee shall have the authority for the operation of the program between the stated meetings of the program’s faculty subject to the policies established by the faculty. It shall meet at least once a semester with the students matriculated in the program.

The executive officer shall serve as chairperson of the executive committee.

d. The students of each doctoral program shall have responsibility through student representatives to the executive committee and the standing committees to make known their views on the policies of the program.

SECTION 9.5. APPOINTMENTS.

a. Recommendations for full-time appointments in a department shall be initiated (1) by the department or (2) to a professorial title by the president pursuant to his/her responsibilities in accordance with section 11.4. of these bylaws. The president may recommend that such appointee be designated as department chairperson. Such recommendation by the president for appointment and designation as department chairperson may be made either at the time of election of department chairperson or at such other time as the educational interests of the college may require. Before recommending such appointment or designation, the president shall confer with the members of the department and with the college committee on faculty personnel and budget.

b. All full-time appointments, reappointments, and reappointments with tenure to a department, except as above specified, shall be recommended to the college committee on faculty personnel and budget or its equivalent by the chairperson of the department after consultation with the president in accordance with the vote of the majority of the members of the department’s committee on personnel and budget, save that a minority of any committee on appointments or departmental committee on personnel and budget shall have power to submit a minority recommendation to the college committee on faculty personnel and budget.

SECTION 9.6. PROMOTIONS.

a. Each college shall select one of the following plans for promotions:

   PLAN NO. ONE. Promotions to the rank of associate professor shall be recommended only after an affirmative vote of a majority of all associate professors and professors in the department. In departments where every professorial rank is not represented, recommendations for promotion shall be initiated by the department personnel and budget committee. This plan shall not apply in the case of promotion to a professorship. No faculty member shall vote on his/her own promotion. A minority of any departmental committee on personnel and budget or any committee under this plan shall have the power to submit a minority recommendation to the college committee on faculty personnel and budget.

   PLAN NO. TWO. All promotions to the rank of associate professor shall be recommended to the college committee on faculty personnel and budget by the chairperson of the department only after a majority affirmative vote of the departmental committee on personnel and budget; provided, however, that no member of such committee shall vote on his/her own promotion. This plan shall not apply in the case of promotion to a professorship.

b. Promotion to the rank of professor shall be recommended by the faculty committee on personnel and budget only after an affirmative vote of a majority of all associate professors and professors on the committee.

c. The president shall have the power to make an independent recommendation for promotion in any rank to the board, after consultation with the appropriate departmental committee and with the faculty committee on personnel and budget. In all instances no final action of departmental committees with regard to promotions shall be taken without consultation with the president.
SECTION 9.7. TIE VOTES.

A tie vote in a case affecting an appointment, a reappointment, or a promotion shall be considered as a failure of the motion to prevail. Tie votes in the election of a department chairperson or for representation on departmental committees on personnel and budget or committees on appointments or on the faculty council or faculty senate shall be resolved by action of the president.

SECTION 9.8. NEW COLLEGES OR NEW SCHOOLS.

Unless otherwise provided, the provisions of this article, insofar as they specify certain organizational duties and responsibilities of the instructional staff, shall not apply to a newly-created college or a newly-created school in a college until five years after its establishment unless the president, prior thereto, notifies the board of its desire to be governed by these bylaws. However, insofar as practicable, the spirit of these bylaws shall be observed in the organization and operation of such new college or school.

SECTION 9.9. COLLEGE GOVERNANCE PLANS.

The provisions in a duly adopted college governance plan shall supersede any inconsistent provisions contained in this article.

ARTICLE X THE CENTRAL OFFICE

SECTION 10.1. THE CENTRAL OFFICE.

There is hereby established as an educational unit under the board that portion of the city university of New York which is administered centrally by the chancellor, either directly or through staff designated by and directly responsible to him/her. Such educational unit shall be known as the “central office” and shall consist of the central office staff and the staff of such other programs as are not otherwise provided for and which are not part of any of the existing senior or community colleges under the jurisdiction of the board. Persons holding central office positions shall be deemed to hold positions in the city university of New York.

ARTICLE XI DUTIES AND QUALIFICATIONS OF TITLES IN THE INSTRUCTIONAL STAFF

SECTION 11.1. CONDITIONS AND QUALIFICATIONS FOR APPOINTMENT AND PROMOTION.

The minimum qualifications and duties for all titles in the instructional staff (referred to herein as “title descriptions”), other than those of chancellor, senior university staff and president, shall be established by the chancellor or his/her designee. For titles with faculty rank, any revisions to the title descriptions shall be approved by the board as a policy item. The chancellor or his/her designee shall establish a procedure for the approval of waivers of the minimum qualifications for titles in the instructional staff, with the exception of waivers of the minimum qualifications for faculty rank titles, which shall be approved by the board. All instructional staff title descriptions established by the Chancellor or his/her designee shall be deemed board policies for the sole purpose of the grievance procedure contained in the collective bargaining agreement between the university and the union representing the instructional staff and only in grievances brought pursuant to that grievance procedure by or on behalf of an instructional staff member represented by said union and only for the purpose of determining whether the instructional staff member is performing duties substantially different from those stated in the title description for his/her appointed title.

SECTION 11.2. CHANCELLOR.

A. Position Definition:

The chancellor shall be appointed by and report to the board. He/she shall be the chief executive, educational and administrative officer of the city university of New York and the chief educational and administrative officer of the senior and community colleges and other educational units and divisions for which the board acts as trustees. He/she shall be the chief administrative officer for the
board and shall implement its policies and be the permanent chairperson of the council of presidents with the right and duty of exercising leadership in the work of the council. The chancellor shall have the following duties and responsibilities:

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

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

c. As to each educational unit:

1. To oversee and hold accountable campus leadership, including by setting goals and academic and financial performance standards for each campus.

2. To recommend to the board the appointment of the college president and senior campus staff.

3. To recommend directly to the board the underlying academic appointment of any president, with tenure, notwithstanding any other provisions in these Bylaws.

4. Periodically, but no less than every five years, review the performance of each college.

5. Present to the board all important reports, recommendations, and plans submitted by a college president, faculty or governance body with his/her recommendations, if any.

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

e. To act as the representative of the university and its colleges with outside agencies and particularly to promote the interest and welfare of the university and its colleges with city, state and federal officials.

f. To promote a positive image of the university and to develop and enhance public and private sources of funding for the university.

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

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

i. Nothing in this enumeration shall compromise or detract from the powers and duties of the board of trustees as defined in the state education law.

B. Qualifications:

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

SECTION 11.3. SENIOR UNIVERSITY STAFF

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

The duties and responsibilities of the senior university staff shall be to assist the chancellor in designated areas of university operations and to represent him/her when so authorized.

SECTION 11.4. THE PRESIDENT.

A. Position Definition:

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

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

b. Have the power (1) to remove a department chairperson in accordance with section 9.1.c., and (2) to initiate recommendations for appointment in a department to a professorial title in accordance with section 9.5.a.

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

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

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

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

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

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

i. Recommend to the chancellor an annual college budget.

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

k. Present to the chancellor communications from faculties, officers, employees, or students together with any advice or recommendations of his/her own concerning the subject of such recommendations or communications.

l. Between meetings of the board, be authorized in an emergency to fill temporary vacancies in the instructional staff below the rank of professor in accordance with the method of appointment herein provided and to make such administrative arrangements and appointments as cannot well await the action of the board or its appropriate committees.

m. Report annually to the chancellor and the board, on or before December thirty-first, concerning the affairs of his/her college during the preceding academic year.
n. Live in a residence provided for him/her by the board.

o. Have such additional specific duties as the chancellor shall designate.

B. Qualifications:

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

SECTION 11.5. EQUIVALENCIES.

1. a. For appointment as an assistant professor, associate professor, or full professor in a field in which there is a research PhD in general use, no other degree shall be accepted as equivalent to the PhD. unless there is also a professional doctorate in general use available in the field, in which case a college may declare either the PhD. or the relevant professional doctorate to be “preferred” for a specific appointment, or it could designate them as equally acceptable.

b. For appointment as an assistant professor, associate professor, or full professor in fields in which the PhD. is not the terminal degree in the field, the executive vice chancellor and university provost shall prepare and make available to the colleges a list of credentials that may be accepted in lieu of the PhD. degree.

2. In the evaluation and interpretation of equivalencies there must be a direct and specific relationship between the discipline represented and the field in which the candidate is to serve.

ARTICLE XII SALARY SCHEDULE CONDITIONS

SECTION 12.1. SALARY SCHEDULE CONDITIONS.

The salary of the persons employed by the board on the instructional staff shall be not less than those prescribed in the schedules approved in an agreement entered into after collective negotiations. Where a title is not covered by any collective negotiation agreement, but is payable from the city expense budget for the City University of New York, the schedule shall be as approved by the board and consented to by the city office of labor relations and the city office of management and budget. All salaries shall be subject to the following conditions:

a. The annual increments for all positions on the instructional staff shall be added on January first of each succeeding year following completion of at least ten full months of service, except that in the higher education officer series, the annual increments shall be added on January first or July first of each succeeding year following at least eleven months of service.

b. In schedules where annual increments are specified, the board nevertheless reserves the right to assign fixed salaries to appointees in special cases, to vote larger increments in special cases, when in its judgment the nature of the duties or the character of the services renders such action just, or to withhold annual increments from any members of the staff whose services for any year are unsatisfactory.

c. In schedules where no annual increments are specified, the specific salary of an incumbent shall be fixed at the minimum rate, or the maximum rate, or between, by resolution of the board, action being taken with due consideration for the duties to be discharged, prevailing rates of compensation for one discharging such duties, and the qualifications, training and experience of the incumbent.

SECTION 12.2.

Whenever any compensation, in addition to the regular annual salary, is authorized to be paid to a member of any college, university, or board staff from enterprises in any way connected with the college or university, such compensation shall not be paid
or accepted unless reported to and specifically authorized by the chancellor, except for compensation being paid to the chancellor, which must be specifically authorized by the board.

SECTION 12.3.

The compensation of temporary and other employees not on the instructional staff shall be fixed at such salaries as the board may determine except that with respect to positions for which salary schedules have heretofore been established by the board, such salaries shall be in accordance with such salary schedules as the board may establish with the approval of the mayor, or in accordance with such salary allocations as are appropriate under the career and salary plan. The board may make appointments to any position on a part-time basis with corresponding fractional salary or compensation except where prohibited by existing collective bargaining agreements.

ARTICLE XIII INSTRUCTIONAL STAFF – MISCELLANEOUS PROVISIONS

SECTION 13.1. TEMPORARY DISABILITY LEAVE.

a. Members of the instructional staff who are absent because of temporary disability for more than five consecutive working days may be required to submit a medical certificate from their personal physician upon their return to work.

Where any absence because of temporary disability exceeds thirty consecutive working days, the absentee shall present a statement from his/her physician explaining the nature or his/her temporary disability and certifying that he/she is fully capable of returning to work. In the case of any such absence the college may also require an examination by a physician in its employ, or appointed by it, who shall be required to certify that the absentee is fully capable of returning to work. In cases where there is a conflict of opinion, a third physician, acceptable to the absentee and to the president of the college, shall be called in and his/her judgment shall be accepted as conclusive. In the event that it is found that the condition of such person is such that he/she is incapable of resuming his/her normal duties, such person shall apply for such additional period of leave of absence as may be necessary. Failure to make such application for an additional period of leave of absence shall be deemed neglect of duty.

b. Leaves of absence without pay for temporary disability for periods of less than one year may be recommended by the board to the appropriate retirement system for credit as service for retirement. Increments may be recommended by the board for the period during which an employee is on leave of absence without pay for temporary disability for periods of less than one year.

SECTION 13.2. RETIREMENT LEAVES.

Members of the New York City teachers’ retirement system and members of the permanent instructional staff and lecturers (full-time) with administrative certificates of continuous employment and persons with titles in the higher education officer series who are members of any other retirement system who announce their bona fide intention to retire shall be granted a retirement leave of absence with full pay consisting of one-half of their accumulated unused temporary disability leave up to a maximum of one semester, or the equivalent number of school days. Terms and conditions relating to such retirement leave shall be governed by section 3107 of the state education law.

SECTION 13.3. LEAVES FOR SPECIAL PURPOSES.

a. Special leaves may be granted to members of the instructional staff for personal emergencies of not more than ten working days may be granted with pay by the president at his/her discretion.

b. On the recommendation of the relevant departmental committee concerned with appointments, the relevant college committee and the president, the board may grant to members of the instructional staff special leaves of absence without pay for purposes such as study, writing, research, the carrying out of a creative project or public service of reasonable duration. Where a special leave without pay is for one year or longer, it shall not be credited for purposes of increment, except that increment
credit may be granted when the president certifies that the leave is being taken for a project of academic, scholarly or public importance that brings honor and recognition to the college.

ARTICLE XIV THE NON-INSTRUCTIONAL STAFF

SECTION 14.1. NON-INSTRUCTIONAL STAFF - DEFINITION AND DUTIES.

The non-instructional staff shall consist of all positions in the classified civil service of the city university of New York, classified under one of the four jurisdictional classes - exempt, competitive, non-competitive, and labor.

SECTION 14.2. TERMS AND CONDITIONS OF EMPLOYMENT OF NON-INSTRUCTIONAL STAFF.

Hours of employment, vacations, leaves of absence and other terms and conditions of employment for members of the non-instructional staff shall be those established by law or by resolution of the board, or by appropriate collective bargaining agreements or determinations of the comptroller of the city of New York in appropriate cases.

SECTION 14.3. NON-INSTRUCTIONAL STAFF POSITIONS.

The qualification requirements for non-instructional staff positions shall be those established by the appropriate position specification or civil service examination announcement, or standards established by the CUNY civil service commission.

SECTION 14.4. NON-INSTRUCTIONAL STAFF DISCIPLINARY PROCEDURES.

All non-instructional staff members whose employment is governed by a collective bargaining agreement are subject to discipline in accordance with the disciplinary procedures set forth in that agreement, as are members who are represented by a union that has agreed to use those disciplinary procedures. All other non-instructional staff members are subject to discipline in accordance with the provisions in the CUNY Personnel Rules and Regulations.

ARTICLE XV STUDENTS

SECTION 15.0. PREAMBLE.

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Student participation, responsibility, academic freedom, and due process are essential to the operation of the academic enterprise. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to learn and to explore major social, political, and economic issues are necessary adjuncts to student academic freedom, as is freedom from discrimination, as set forth in the university’s non-discrimination policy.

Freedom to learn and freedom to teach are inseparable facets of academic freedom. The concomitant of this freedom is responsibility. If members of the academic community are to develop positively in their freedom; if these rights are to be secure, then students should exercise their freedom with responsibility.

SECTION 15.1. CONDUCT STANDARD DEFINED.

Each student enrolled or in attendance in any college, school or unit under the control of the board and every student organization, association, publication, club or chapter shall obey (1) the laws of the city, state and nation; (2) the bylaws and resolutions of the board, including the rules and regulations for the maintenance of public order pursuant to article 129-a of the education law ("Henderson rules"); and (3) the governance plan, policies, regulations, and orders of the college.
Such laws, bylaws, resolutions, policies, rules, regulations and orders shall, of course, be limited by the right of students to the freedoms of speech, press, assembly and petition as construed by the courts.

SECTION 15.2. STUDENT ORGANIZATIONS.

a. Any group of students may form an organization, association, club or chapter by filing with the duly elected student government organization of the college or school at which they are enrolled or in attendance and with an officer to be designated by the chief student affairs officer of the college or school at which they are enrolled or in attendance (1) the name and purposes of the organization, association, club or chapter, (2) the names and addresses of its president and secretary or other officers corresponding in function to president and secretary.

The board recognizes that students have rights to free expression and association. At the same time, the board strongly believes that respect for all members of the university’s diverse community is an essential attribute of a great university.

b. Extra-curricular activities at each college or school shall be regulated by the duly elected student government organization to insure the effective conduct of such college or school as an institution of higher learning and for the prevention of activities which are hereafter proscribed or which violate the standards of conduct of the character set forth in bylaw 15.1. Such powers shall include:

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

2. The power to delegate responsibility for the effective implementation of its regulatory functions hereunder to any officer or committee which it may appoint.

c. 1. Any person or organization affiliated with the college may file a complaint with the chief student affairs officer if there is reason to believe that a student organization has violated any of the standards of conduct set forth in section 15.1 above. The chief student affairs officer shall promptly investigate any complaint and report the results of that investigation along with a recommendation for appropriate action to the student government which shall take action as it deems appropriate.

2. The complainant or any student organization adversely affected by the action of the student government pursuant to subparagraph c (1) above may appeal to the president. The president may take such action as he or she deems appropriate, and such action shall be final.

d. Each college shall establish a student elections review committee in consultation with the various student governments. The student elections review committee shall approve the election procedures and certify the results of elections for student governments, and student body referenda. Decisions of the student elections review committee may be appealed to the college president, whose decision shall be final. An appeal from the decision of the student elections review committee must be made in writing to the President within ten calendar days of the decision. The President shall consult with the student elections review committee and render a decision as expeditiously as possible which may affirm, reverse, or modify the decision of the student elections review committee.

e. Student government elections shall be scheduled and conducted, and newly elected student governments shall take office, in accordance with policies of the board, and implementing regulations.

SECTION 15.3. STUDENT DISCIPLINARY PROCEDURES.

Complaint Procedures:

a. Any charge, accusation, or allegation which is to be presented against a student, and, which if proved, may subject a student to disciplinary action, must be submitted in writing in complete detail to the office of the chief student affairs officer promptly by the individual, organization or department making the charge.
b. The chief student affairs officer of the college or his or her designee will conduct a preliminary investigation in order to
determine whether disciplinary charges should be preferred. The chief student affairs officer or his or her designee will advise
the student of the allegation against him or her, consult with other parties who may be involved or who have information
regarding the incident, and review other relevant evidence. Following this preliminary investigation, which shall be concluded
within thirty (30) calendar days of the filing of the complaint, the chief student affairs officer or designee shall take one of the
following actions:

(i) Dismiss the matter if there is no basis for the allegation(s) or the allegation(s) does not warrant disciplinary actions. The
individuals involved shall be notified that the complaint has been dismissed;

(ii) Refer the matter to mediation; or

(iii) Prefer formal disciplinary charges.

c. In the event that a student withdraws from the college after a charge, accusation or allegation against the student has been
made, and the college prefers formal disciplinary charges, the withdrawn student is required to participate in the disciplin-
ary hearing or otherwise to resolve the pending charges and will be barred from attending any other unit of the university until a
decision on the charges is made or the charges are otherwise resolved. If the withdrawn student fails to so participate in the
disciplinary process without good cause, the college may proceed with the disciplinary hearing in absentia and any decision
and sanction will be binding.

Mediation Conference:

d. The mediation conference shall be conducted by a qualified staff or faculty member designated by the chief student affairs
officer. The following procedures shall be in effect at this conference:

1. An effort will be made to resolve the matter by mutual agreement.

2. If an agreement is reached, the faculty or staff member conducting the conference shall report his/her recommendation to
the chief student affairs officer for approval and, if approved, the complainant shall be notified, and a written memorandum
shall be created memorializing the resolution and any consequences for non-compliance.

3. If no agreement is reached, or if the student fails to appear, the faculty or staff member conducting the conference shall refer
the matter back to the chief student affairs officer who may prefer disciplinary charges.

4. The faculty or staff member conducting the mediation conference is precluded from testifying in a college hearing regarding
information received during the mediation conference.

Notice of Hearing and Charges:

e. Notice of the charge(s) and of the time and place of the hearing shall be personally delivered or sent by the chief student affairs
officer of the college to the student at the address appearing on the records of the college, by certified or overnight mail and by
regular mail and e-mail to students who have a college e-mail address. The chief student affairs officer is also encouraged to
send the notice of charges to any other e-mail address that he or she may have for the student. The hearing shall be
scheduled within a reasonable time following the filing of the charges or the mediation conference. Notice of at least five
business days shall be given to the student in advance of the hearing unless the student consents to an earlier hearing.

f. The notice shall contain the following:

1. A complete and itemized statement of the charge(s) being brought against the student including the rule, bylaw or regulation
he/she is charged with violating, and the possible penalties for such violation.

2. A statement that the student has the following rights:
(i) to present his/her side of the story;

(ii) to present witnesses and evidence on his/her behalf;

(iii) to cross-examine witnesses presenting evidence against the student;

(iv) to remain silent without assumption of guilt; and

(v) to be represented by legal counsel or an advisor at the student's expense.

3. A warning that anything the student says may be used against him/her at a non-college hearing.

Faculty-Student Disciplinary Committee Procedures:

g. The following procedures shall apply at the hearing before the faculty-student disciplinary committee:

1. The chairperson shall preside at the hearing. The chairperson shall inform the student of the charges, the hearing procedures and his or her rights.

2. After informing the student of the charges, the hearing procedures, and his or her rights, the chairperson shall ask the student charged to respond. If the student admits the conduct charged, the student shall be given an opportunity to explain his/her actions before the committee and the college shall be given an opportunity to respond. If the student denies the conduct charged, the college shall present its case. At the conclusion of the college's case, the student may move to dismiss the charges. If the motion is denied by the committee the student shall be given an opportunity to present his or her defense.

3. Prior to accepting testimony at the hearing, the chairperson shall rule on any motions questioning the impartiality of any committee member or the adequacy of the notice of the charge(s). Subsequent thereto, the chairperson may only rule on the sufficiency of the evidence and may exclude irrelevant, immaterial or unduly repetitive evidence. However, if either party wishes to question the impartiality of a committee member on the basis of evidence which was not previously available at the inception of the hearing, the chairperson may rule on such a motion. The chairperson shall exclude all persons who are to appear as witnesses, except the accused student.

4. The college shall make a record of each fact-finding hearing by some means such as a stenographic transcript, a tape recording or the equivalent. A student who has been disciplined is entitled upon request to a copy of such a record without cost.

5. The student is entitled to a closed hearing but has the right to request an open public hearing. However, the chairperson has the right to hold a closed hearing when an open public hearing would adversely affect and be disruptive of the committee's normal operations.

6. The college bears the burden of proving the charge(s) by a preponderance of the evidence.

7. The role of the faculty-student disciplinary committee is to listen to the testimony, ask questions of the witnesses, review the testimony and evidence presented at the hearing and the papers filed by the parties and render a determination as to guilt or innocence. In the event the student is found to have committed the conduct charged, the committee shall then determine the penalty to be imposed.

8. At the end of the presentations by both sides, the student may introduce additional records, such as character references. The college may introduce a copy of the student's previous disciplinary record, where applicable, provided the student was shown a copy of the record prior to the commencement of the hearing. The disciplinary record shall be submitted to the committee in a sealed envelope and shall not be opened until after the committee has made its findings of fact. In the event the student has been determined to have committed the conduct alleged in the charge or charges the records and documents
introduced by the student and the college shall be opened and used by the committee for dispositional purposes, i.e., to
determine an appropriate penalty if the charges are sustained.

9. The committee shall deliberate in closed session. The committee shall issue a written decision, which shall be based solely
on the testimony and evidence presented at the hearing and the papers filed by the parties.

10. The student shall be sent a copy of the faculty-student disciplinary committee's decision within five days of the conclusion
of the hearing, by regular mail and e-mail for students who have a college e-mail address. The chief student affairs officer is
also encouraged to send the decision to any other e-mail address that he or she may have for the student. The decision shall
be final subject to the student's right of appeal.

11. Where a student is represented by legal counsel the president of the college or his or her designee may request that a
lawyer from the general counsel's office appear at the hearing to present the college's case.

12. When a disciplinary hearing results in a penalty of dismissal or suspension for one term or more, the decision is a
university-wide penalty and the student will be barred from admission to any other unit of the university while the penalty is
being served.

13. Disciplinary penalties shall be placed on a student's transcript and shall remain there unless the committee's decision, the
decision on any appeal under section 15.4 below, or a mediation agreement expressly indicates otherwise.

SECTION 15.4. APPEALS.

An appeal from the decision of the faculty-student disciplinary committee may be made to the president who may confirm or
decrease the penalty but not increase it. His/her decision shall be final except in the case of dismissals or suspension for one term
or more. An appeal from a decision of dismissal or suspension for one term or more may be made to the board committee on
student affairs and special programs. Any appeal under this section shall be made in writing within fifteen days after the delivery of
the decision appealed from. This requirement may be waived in a particular case for good cause by the president or board
committees as the case may be. If the president is a party to the dispute, his/her functions with respect to an appeal shall be
discharged by an official of the university to be appointed by the chancellor or his or her designee.

SECTION 15.5. COMMITTEE STRUCTURE.

a. Each faculty-student disciplinary committee shall consist of two faculty members and two student members and a chairperson,
who shall be a faculty member. A quorum shall consist of the chair and any two members, one of whom must be a student.
Hearings shall be scheduled promptly (including during the summers) at a convenient time and efforts shall be made to insure
full student and faculty representation.

b. The president shall select in consultation with the head of the appropriate campus governance body or where the president is
the head of the governance body, its executive committee, three (3) members of the instructional staff of that college to receive
training and to serve in rotation as chair of the disciplinary committee. If none of the chairpersons appointed from the campus
can serve, the president, at his/her discretion, may request that a chairperson be selected by lottery from the entire group of
chairpersons appointed by other colleges. The chairperson shall preside at all meetings of the faculty-student disciplinary
committee and decide and make all rulings for the committee. He/she shall not be a voting member of the committee but shall
vote in the event of a tie.

c. The faculty members shall be selected by lot from a panel of six elected biennially by the appropriate faculty body from among
the persons having faculty rank or faculty status. The student members shall be selected by lot from a panel of six elected
annually in an election in which all students registered at the college shall be eligible to vote. In the event that the student or
faculty panel or both are not elected, or if more panel members are needed, the president shall have the duty to select the
panel or panels which have not been elected. No individuals on the panel shall serve on the panel for more than two
consecutive years.
d. In the event that the chairperson cannot continue, the president shall appoint another chairperson. In the event that a student or faculty seat becomes vacant and it is necessary to fill the seat to continue the hearing, the seat shall be filled from the respective faculty or student panel by lottery.

e. Persons who are to be participants in the hearings as witnesses or have been involved in preferring the charges or who may participate in the appeals procedures or any other person having a direct interest in the outcome of the hearing shall be disqualified from serving on the committee.

SECTION 15.6. SUSPENSION OR DISMISSAL.

The board reserves full power to dismiss or suspend a student, or suspend a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of any college, school, or unit of the university in the use of its facilities or in the achievement of its purposes as an educational institution.

The chancellor or his/her designee or a president or his/her designee may in emergency or extraordinary circumstances, temporarily suspend a student, or temporarily suspend the privileges of a student organization or group for cause, pending an early hearing as provided in bylaw section 15.3. to take place within not more than ten (10) business days. Prior to the commencement of a temporary suspension of a student, the college shall give such student oral or written notice of the charges against him/her and, if he/she denies them, the college shall forthwith give such student an informal oral explanation of the evidence supporting the charges and the student may present informally his/her explanation or theory of the matter. When a student's presence poses a continuing danger to person or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter.

SECTION 15.7. THE UNIVERSITY STUDENT SENATE.

There shall be a university student senate responsible, subject to the board, for the formulation of university-wide student policy relating to the academic status, role, rights and freedoms of the student. The authority and duties of the university student senate shall not extend to areas of interest which fall exclusively within the domain of the student governments of the constituent units of the university. Consistent with the authority of the board of trustees in accordance with the education law and the bylaws of the board of trustees, the university student senate shall make its own bylaws providing for the election of its own officers, the establishment of its own rules and procedures, for its internal administration and for such other matters as is necessary for its existence. The university student senate shall have the full rights and responsibilities accorded student organizations as provided in these bylaws. The delegates and alternate delegates to the university student senate shall be elected by their respective constituencies, or by their student governments from the elected members of the respective student governments.

SECTION 15.8. COLLEGE GOVERNANCE PLANS.

The provisions in a duly adopted college governance plan shall not be inconsistent with the provisions contained in this article.

ARTICLE XVI STUDENT ACTIVITY FEES AND AUXILIARY ENTERPRISES

SECTION 16.1. STUDENT ACTIVITY FEE.

The student activity fee is the total of the fees for student government and other student activities. Student activity fees, including student government fees collected by a college of the university shall be deposited in a college central depository and, except where earmarked by the board, allocated by a college association budget committee subject to review by the college association as required in these bylaws.

SECTION 16.2. STUDENT ACTIVITY FEES USE - EXPENDITURE CATEGORIES.

Student activity fee funds shall be allocated and expended only for the following purposes:
1. Extracurricular educational programs;
2. Cultural and social activities;
3. Recreational and athletic programs;
4. Student government;
5. Publications and other media;
6. Assistance to registered student organizations;
7. Community service programs;
8. Enhancement of the college and university environment;
9. Transportation, administration and insurance related to the implementation of these activities;
10. Student services to supplement or add to those provided by the university;
11. Stipends to student leaders.

SECTION 16.3. STUDENT GOVERNMENT FEE.

The student government fee is that portion of the student activity fee levied by resolution of the board which has been established for the support of student government activities. The existing student government fees now in effect shall continue until changed. Student government fees shall be allocated by the duly elected student government, or each student government where more than one duly elected student government exists, for its own use and for the use of student organizations, as specified in section 15.2. of these bylaws, provided, however, that the allocation is based on a budget approved by the duly elected student government after notice and hearing, subject to the review of the college association. Where more than one duly elected student government exists, the college association shall apportion the student government fees to each student government in direct proportion to the amount collected from members of each student government.

SECTION 16.4. STUDENT GOVERNMENT ACTIVITY DEFINED.

a. A student government activity is any activity operated by and for the students enrolled at any unit of the university provided, (1) such activity is for the direct benefit of students enrolled at the college, (2) that participation in the activity and the benefit thereof is available to all students enrolled in the unit or student government thereof, and (3) that the activity does not contravene the laws of the city, state or nation, or the published rules, regulations, and orders of the university or the duly established college authorities.

SECTION 16.5. COLLEGE ASSOCIATION.

a. The college association shall have responsibility for the supervision and review over college student activity fee supported budgets. All budgets of college student activity fees, except where earmarked by the board to be allocated by another body, should be developed by a college association budget committee and recommended to the college association for review by the college association prior to expenditure. The college association shall review all college student activity fee, including student government fee allocations and expenditures for conformance with the expenditure categories defined in Section 16.2. of this article and the college association shall disapprove any allocation or expenditure it finds does not so conform, or is inappropriate, improper, or inequitable.

b. A college association shall be considered approved for purposes of this article if it consists of thirteen (13) members, its governing documents are approved by the college president and the following requirement are met:

1. The governing board of the college association is composed of:

   (i) The college president or his/her designee as chair.

   (ii) Three administrative members appointed by the college president.

   (iii) Three faculty members appointed by the college president from a panel whose size is twice the number of seats to be filled and the panel is elected by the appropriate college faculty governance body.
(iv) Six student members comprised of the student government president(s) and other elected students with the student seats allocated on a basis which will provide representation to each government, where more than one exists, as nearly as practicable in proportion to the student activity fees provided by the students from the respective constituencies.

2. The college association structure provides a budget committee composed of members of the governing board, at least a majority of whom are students selected in accordance with section 16.5.(b) (1)(iv) of these bylaws. The budget committee shall be empowered to receive and review student activity fee budget requests and to develop a budget subject to the review of the college association. The college association may choose to not approve the budget or portions of the budget if in their opinion such items are inappropriate, improper, or inequitable. The budget shall be returned to the budget committee with the specific concerns of the college association noted for further deliberation by the budget committee and subsequent resubmittal to the college association. If the budget is not approved within thirty (30) days those portions of the budget voted upon and approved by the college association board will be allocated. The remainder shall be held until the college association and the budget committee agree.

3. The governing documents of the college association have been reviewed by the board's general counsel and approved by the board.

SECTION 16.6. MANAGEMENT AND DISBURSEMENT OF FUNDS.

The college and all student activity fee allocating bodies shall employ generally accepted accounting and investment procedures in the management of all funds. All funds for the support of student activities are to be disbursed only in accordance with approved budgets and be based on written documentation. A requisition for disbursement of funds must contain two signatures; one, the signature of a person with responsibility for the program; the other the signature of an approved representative of the allocating body.

SECTION 16.7. REVENUES.

All revenues generated by student activities funded through student activity fees shall be placed in a college central depository subject to the control of the allocating body. The application of such revenues to the account of the income generating organization shall require the specific authorization of the allocating body.

SECTION 16.8. FISCAL ACCOUNTABILITY HANDBOOK.

The chancellor or his/her designee shall promulgate regulations in a fiscal accountability handbook, to regulate all aspects of the collection, deposit, financial disclosure, accounting procedures, financial payments, documentation, contracts, travel vouchers, investments and surpluses of student activity fees and all other procedural and documentary aspects necessary, as determined by the chancellor or his/her designee to protect the integrity and accountability of all student activity fee funds.

SECTION 16.9. COLLEGE PURPOSES FUND.

a. A college purposes fund may be established at each college and shall be allocated by the college president. This fund may have up to twenty-five (25) percent of the unearmarked portion of the student activity fee earmarked to it by resolution of the board, upon the presentation to the board of a list of activities that may be properly funded by student activity fees that are deemed essential by the college president.

b. Expenditures from the college purposes fund shall be subject to full disclosure under section 16.13. of these bylaws.

c. Referenda of the student body with respect to the use and amount of the college purposes fund shall be permitted under the procedures and requirements of section 16.12. of these bylaws.

SECTION 16.10. AUXILIARY ENTERPRISE BOARD.

a. The auxiliary enterprise board shall have responsibility for the oversight, supervision and review over college auxiliary enterprises. All budgets of auxiliary enterprise funds and all contracts for auxiliary enterprises shall be developed by the
auxiliary enterprise budget and contract committee and reviewed by the auxiliary enterprise board prior to expenditure or execution.

b. The auxiliary enterprise board shall be considered approved for the purposes of this article if it consists of at least eleven (11) members, its governing documents are approved by the college president and the following requirements are met:

1. The governing board is composed of the college president or his/her designee as chair, plus an equal number of students and the combined total of faculty and administrative members.

2. The administrative members are appointed by the college president.

3. The faculty members are appointed by the college president from a panel whose size is twice the number of seats to be filled and the panel is elected by the appropriate college faculty governance body.

4. The student members are the student government president(s) and other elected students and the student seats are allocated on a basis which will provide representation to each government, where more than one exists, as nearly as practicable, in proportion to the student enrollment by headcount from the respective constituencies.

5. The auxiliary enterprise board structure provides for a budget and contract committee composed of a combined total of faculty and administrative members that is one more than the number of student members. The budget and contract committee shall be empowered to develop all contract and budget allocation proposals subject to the review and approval of the auxiliary enterprise board.

6. The governing documents of the auxiliary enterprise board have been reviewed by the board's general counsel and approved by the board.

SECTION 16.11. THE REVIEW AUTHORITY OF COLLEGE PRESIDENTS OVER STUDENT ACTIVITY FEE ALLOCATING BODIES AND AUXILIARY ENTERPRISE BOARDS.

a. The president of the college shall have the authority to disapprove any student activity fee, including student government fee, or auxiliary enterprise allocation or expenditure, which in his or her opinion contravenes the laws of the city, state, or nation or any bylaw or policy of the university or any policy, regulation, or order of the college. If the college president chooses to disapprove an allocation or expenditure, he or she shall consult with the general counsel and vice chancellor for legal affairs and thereafter communicate his/her decision to the allocating body or auxiliary enterprise board.

b. The president of the college shall have the authority to suspend and send back for further review any student activity fee, including student government fee, allocation or expenditure which in his or her opinion is not within the expenditure categories defined in section 16.2. of this article. The college association shall, within ten (10) days of receiving a proposed allocation or expenditure for further review, study it and make a recommendation to the president with respect to it. The college president shall thereafter consider the recommendation, shall consult with the general counsel and vice chancellor for legal affairs, and thereafter communicate his/her final decision to the allocating body as to whether the allocation or expenditure is disapproved.

c. The chancellor or his/her designee shall have the same review authority with respect to university student activity fees that the college president has with respect to college student activity fees.

d. All disapprovals exercised under this section shall be filed with the general counsel and vice chancellor for legal affairs.

e. Recipients of extramural student activity fees shall present an annual report to the chancellor for the appropriate board committee detailing the activities, benefits and finances of the extramural body as they pertain to the colleges where students are paying an extramural fee.
SECTION 16.12. REFERENDA.

A referendum proposing changes in the student activity fee shall be initiated by a petition of at least ten (10) percent of the appropriate student body and voted upon in conjunction with student government elections.

a. Where a referendum seeks to earmark student activity fees for a specific purpose or organization without changing the total student activity fee, the results of the referendum shall be sent to the college association for implementation.

b. Where a referendum seeks to earmark student activity fees for a specific purpose or organization by changing the total student activity fee, the results of such referendum shall be sent to the board by the president of the college together with his/her recommendation.

c. At the initiation of a petition of at least ten (10) percent of the appropriate student body, the college president may schedule a student referendum at a convenient time other than in conjunction with student government elections.

d. Where the referendum seeks to affect the use or amount of student activity fees in the college purposes fund, the results of the referendum shall be sent to the board by the college president together with his/her recommendation.

SECTION 16.13. DISCLOSURE.

a. The college president shall be responsible for the full disclosure to each of the student governments of the college of all financial information with respect to student activity fees.

b. The student governments shall be responsible for the full disclosure to their constituents of all financial information with respect to student government fees.

c. The student activity fee allocating bodies shall be responsible for the full disclosure of all financial information to its membership, to the college and to the student governments with respect to all of its activities.

d. The auxiliary enterprise board shall be responsible for the full disclosure of all financial information to its membership, to the college and to the student governments with respect to auxiliary enterprises.

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

SECTION 16.14. STIPENDS.

The payment of stipends to student leaders is permitted only within those time limits and amounts authorized by the board.

ARTICLE XVII DEFINITIONS

SECTION 17.1

The following definitions shall apply in these bylaws:

a. "Board" means the board of trustees of the city university of New York.

b. "Department" means an instructional department of a college or a Ph.D. program in the graduate school and university center; if the instructional work of the college is organized into divisions or programs, it shall mean a division or program.
c. “Department chairperson” means a department head as such title is used in a community college, a program director as such title is used in the school of professional studies or a community college, or an executive officer as such title is used in the graduate school.

d. “Tenure” is the right of a person to hold his/her position during good behavior and efficient and competent service; and not to be removed therefrom except in accordance with applicable contractual provisions and law.

e. “Senior college” means a four-year college, the graduate school and university center (and all components thereof), and the law school.

f. “Community college” means a two-year college offering associate degrees.

g. “College” or Educational unit” shall mean a senior college or a community college.

h. “President” includes the president of a college, or anyone acting in such capacity as the sense of the provision may be appropriate, including the deans of the law school, the school of professional studies and the graduate school of journalism.

i. “Promotion” is the advancement from a title on the permanent instructional staff to another title on the permanent instructional staff.