

**BOARD OF TRUSTEES
THE CITY UNIVERSITY OF NEW YORK
535 EAST 80TH STREET
NEW YORK, NEW YORK 10075**

**REVISED
CALENDAR**

NOVEMBER 23, 2009

NO. 1. CHANCELLOR'S UNIVERSITY REPORT: RESOLVED, That the Chancellor's University Report for November 23, 2009 (including Addendum and Errata Items) be approved:

EXPLANATION: The Chancellor's University Report consists of standard resolutions and actions of a non-policy nature which require approval by the Board of Trustees.

NO. 2. APPROVAL OF MINUTES: RESOLVED, That the minutes of the regular Board meetings and Executive Session of September 29, 2009 be approved.

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

A. THE CITY UNIVERSITY OF NEW YORK - COLLECTION LITIGATION SERVICES:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute one or more contracts on behalf of the Office of the University Controller to enter into one or more contracts with one or more vendors who will provide collection and litigation services. Contract(s) shall be awarded to the lowest responsive and responsible bidder(s) after public advertisement and sealed bidding by the Office of the University Controller pursuant to law and University Regulations. The contract term for each contract shall be five years with an option for the University to terminate on each anniversary date of each contract. Each contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The University will use these collection and litigation services to fulfill federal, state and local laws and regulations, that mandate the University to pursue delinquent student loans and other debts. The contractors will provide collection and litigation services for three (3) types of receivables: (i) tuition and fees; (ii) Federal Perkins (formerly NDSL) and Nursing Student and Institutional Loan programs; and (iii) other miscellaneous debts.

B. THE CITY UNIVERSITY OF NEW YORK - FY 2010-2011 UNIVERSITY BUDGET REQUEST:

RESOLVED, Subject to the availability of resources, CUNY seeks a total of \$2.735 billion for the University. This total includes additional funding of \$155.0 million comprising \$91.7 million for baseline needs and \$63.3 million for programmatic increases. At the senior colleges, the total request is \$2.005 billion, a \$111.3 million increase over the 2009-2010 adopted level. Of this amount, \$72.5 million is for baseline needs and \$38.7 million is for programmatic increases. At the community colleges the overall request is \$729.9 million, a \$43.7 million increase over the 2009-2010 adopted level. Of this amount, \$19.1 million is for baseline needs and \$24.6 million is for programmatic increases.

EXPLANATION: With the 2010-2011 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 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 an increase in tuition of \$45.00 per semester for senior college undergraduate resident students and \$30.00 per semester for community college resident students. All other tuition rates will be

increased proportionally. 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:

FULL TIME FACULTY

- CUNY's top priority continues to be the hiring of more full-time faculty. This year, the University has added over 200 new full-time positions. Student success depends on a talented and committed faculty. The University requests 270 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 has experienced record-breaking growth—at least 8% in FTEs across the university. 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 CUNY 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.

NURSING / HEALTH PROFESSIONS

- There are over 400,000 healthcare jobs in New York City, representing 11 percent of all jobs. 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. 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. Many CUNY students are also parents. The availability of child care services can enable these students to attend classes while providing an educational experience for their children in a safe environment. Additional funding is also needed to expand the health services so that all students have access to the assistance they need.

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

- New Yorkers looking to advance in their careers or looking for new opportunities continue to make CUNY the education and training institution of choice. CUNY continues to focus on offering programs in industries in which there are employment opportunities in the near term. The University is working to expand its healthcare programs by adding to the number of available slots in associate and baccalaureate degree nursing and allied health programs. In the early childhood field, CUNY is supporting the New York State government's efforts to improve the quality of education through a new initiative to assess the quality of services and of the credentials held by early childhood educators. CUNY's training and education programs focused on environmental sustainability continue to grow, particularly those related to assessing and upgrading building energy efficiency.

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 has several new buildings opening across the campuses both in the current year and next year. The University is seeking 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.

C. THE CITY UNIVERSITY OF NEW YORK – APPOINTMENT OF STATE STREET BANK AND TRUST COMPANY AS CUSTODIAN:

RESOLVED, That the Board of Trustees of The City University of New York appoint State Street Bank and Trust Company as custodian of the securities, cash and other assets maintained by the University in its Investment Pool; and be it further

RESOLVED, That the Board of Trustees of The City University of New York delegate authority to the Controller of the University to execute on behalf of the University all contracts, deeds and other instruments binding the University in connection with such custodianship, all such documents to be first subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: For many years, JP Morgan Chase (and its predecessors) served as custodian for the University's Investment Pool, providing safekeeping of the securities and other assets and various administrative services. The University recently conducted a competitive process and invited three major banks (JP Morgan Chase, Bank of New York and State Street) to make presentations on their custodial and investment accounting services. Bank of New York never responded; of the remaining two, the Office of the University Controller determined that State Street would best meet the needs of the University.

State Street is a recognized leader in the trust-custody business and it has contracted with NRS (NorthEast Retirement Systems) as a third-party provider for investment accounting. The two organizations partner to provide a seamless, totally-outsourced service, which permits reconciliation of fund accounts with the plan accounting. Moreover, the interface between their systems provide for reporting opportunities that currently do not exist. In addition, State Street-NRS have many clients for whom they download into PeopleSoft. Such an arrangement, therefore, would further facilitate the use of CUNYfirst, which, in turn, will facilitate year-end closing and make that process easier for Office of the University Controller.

D. THE CITY UNIVERSITY OF NEW YORK – APPOINTMENT OF WALTER SCOTT INTERNATIONAL FUND, LLC AS INVESTMENT ADVISOR:

RESOLVED, That the Board of Trustees of The City University of New York appoint Walter Scott International Fund, LLC as investment advisor for a portion of the international equity assets maintained by the University in its Investment Pool; and be it further

RESOLVED, That the Board of Trustees of The City University of New York delegate authority to the Controller of the University to execute on behalf of the University all contracts, deeds and other instruments binding the University in connection with such advisor, all such documents to be first subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: As part of the Investment Policy approved by the Board of Trustees in December 2008, the international equity allocation was increased from 10% to 20% to bring the global equity portfolio closer to the world market capitalization weights. The University recently conducted a competitive process to identify an international equity manager. Subsequently, the Office of the University Controller, in consultation with Cambridge Associates, determined that Walter Scott would best meet the needs of the University's Investment Pool.

Walter Scott is a well respected firm with substantial resources and a focus on global and non-US equity investing. The firm has a well-defined investment process focused on bottom-up, fundamental research. It has a long and strong track record and a very stable team with substantial experience in the investment business. In addition, the firm's portfolio complements CUNY's existing structure.

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

A. THE CITY UNIVERSITY OF NEW YORK - HUMAN RESEARCH PROTECTIONS PROGRAM POLICIES AND PROCEDURES:

RESOLVED, That the Office of the General Counsel and Senior Vice Chancellor for Legal Affairs shall, on behalf of the Board of Trustees, issue Human Research Protections Program Policies and Procedures for The City University of New York, which shall supersede prior University Policies and Procedures on human research protections.

NOTE: A copy of the Human Research Protections Program Policies and Procedures is on file in the Office of the Secretary of the Board.

EXPLANATION: As an institution that uses living human subjects in research and receives federal funding for human subjects research, CUNY is regulated by the U.S. Office for Human Research Protections (OHRP). Among other things, CUNY is required by OHRP and its regulations to adopt and follow policies and procedures regarding human subjects research.

The current CUNY policy regarding the protection of human subjects in research was adopted in 1982. Since that time, there have been significant changes in the federal regulations and in human subjects research in general. The proposed document follows the federal regulations at 45 CFR 46 as its basis and includes CUNY-specific policies and procedures to ensure compliance with the regulations.

The proposed policies and procedures apply to all research involving living human subjects, regardless of funding or performance site, conducted under the auspices of CUNY. This includes research conducted at any CUNY facility; conducted by or under the direction of any student, faculty member, staff member, or agent of CUNY in connection with his or her institutional responsibilities; or involving the use of CUNY nonpublic information to identify or contact human subjects. The document addresses the structure and operations of CUNY's institutional review boards, informed consent by research participants, research with vulnerable populations such as children and prisoners, and special topics such as student research, oral history, and subject pools.

It is anticipated that the Research Foundation of CUNY will also adopt the proposed policies and procedures and that they will also apply to all research conducted by RF employees.

B. KINGSBOROUGH COMMUNITY COLLEGE – A.A.S. IN CULINARY ARTS AND FOOD MANAGEMENT:

RESOLVED, That the program in Culinary Arts and Food Management leading to the Associate in Applied Science degree to be offered at Kingsborough Community College be approved, effective December 1, 2009, subject to financial ability.

EXPLANATION: The purpose of the proposed program is to prepare graduates with the knowledge and skills necessary for immediate entry level employment in the foodservice and restaurant industry. A number of certifications are also incorporated within the program to allow students the opportunity to obtain additional credentials from the National Restaurant Association and the New York City Department of Health and Mental Hygiene. The program also puts students on the path toward American Culinary Federation certification.

The foodservice industry has been continuously identified by the US Department of Labor as well as the National Restaurant Association as the industry providing the most opportunities for career development among women, minorities, and people with disabilities. A congressional study on entrepreneurship found that foodservice provides the most opportunities and the fewest barriers to ownership among minority-owned small businesses.

C. KINGSBOROUGH COMMUNITY COLLEGE – A.S. IN CHEMICAL DEPENDENCY COUNSELING:

RESOLVED, That the program in Chemical Dependency Counseling leading to the Associate in Science degree to be offered at Kingsborough Community College be approved, effective December 1, 2009, subject to financial ability.

EXPLANATION: The goals of the proposed program reflect both national and state efforts to educate a new workforce to treat persons with substance use disorders. The curriculum was designed with a solid liberal arts and sciences component so that graduates will be prepared to go further in higher education. The program articulates with the bachelor's program in Deviant Behavior and Social Control offered by John Jay College of Criminal Justice.

Workforce development became a priority in New York State in the 5-year plan of the Office of Alcoholism and Substance Abuse Services (OASAS), which was revised and expanded in 2006. Recently, NYS OASAS distributed its newest hiring protocol (OASAS 2008) for substance abuse counselors, by which the associate degree plus the CASAC-Trainee certificate enables individuals to obtain employment in the New York State system of services and centers as Addiction Counselor Assistants (ACAs). These positions are viewed as entry level and carry full employment benefits and opportunities for advancement.

D. LEHMAN COLLEGE – B.S. IN INTERDISCIPLINARY ENVIRONMENTAL SCIENCE:

RESOLVED, That the program in Interdisciplinary Environmental Science leading to the Bachelor of Science degree to be offered at Lehman College be approved, effective December 1, 2009, subject to financial ability.

EXPLANATION: The purpose of the proposed program is to provide students with the knowledge and skills necessary to meet the demands and challenges for entry-level careers in the field of environmental sciences. The curriculum is designed with a rigorous integrated science foundation. This foundation which is enhanced by the opportunity for students to select an advanced course sequence in specialized areas that focus on the social, political, ethical, historical and legal issues surrounding environmental sciences. Thus, graduates will also be prepared to enter graduate level programs of study and achieve advanced degrees in science and technology, opening an even broader range of career opportunities.

Environmental issues are fast becoming one of the major societal concerns of the twenty-first century. Employment opportunities exist in research, private industry, and local, state, and federal government agencies, including the Bureau of Land Management, Department of Defense, and the Environmental Protection Agency.

E. LEHMAN COLLEGE – M.S. AND POST MASTER’S CERTIFICATE IN FAMILY NURSE PRACTITIONER:

RESOLVED, That the two programs in Family Nurse Practitioner (FNP), one leading to the Master of Science degree and one leading to the Post Master’s Certificate, to be offered at Lehman College be approved, effective December 1, 2009, subject to financial ability.

EXPLANATION: The purpose of the proposed programs is to prepare graduates for careers as Family Nurse Practitioners in different settings within the healthcare delivery system. The proposed programs will provide two pathways: the Master of Science degree (MS/FNP) for nurses who are Registered nurses and who have completed a baccalaureate degree in nursing, and the Post Master’s Certificate for nurses who already hold a master’s degree in nursing who wish to qualify as an FNP. Nurse Practitioners are registered nurses with specialized advanced education and clinical competency who provide health and medical care for diverse populations in a variety of primary care, acute and long term care settings. Graduates of the proposed programs will be eligible to sit for the national certification exam conducted by the American Association of Colleges of Nursing and eligible for certification as nurse practitioners by New York State.

In 2004 and again in 2008 the Lehman College nursing faculty conducted on-site interviews and a telephone survey of major clinical affiliates of the Department of Nursing’s graduate program, including Montefiore Medical Center, Bronx Lebanon, Mt Vernon Health Center, North Central Bronx Hospital, Lincoln and Jacobi hospitals. The response was overwhelming in terms of anticipated needs for Family Nurse Practitioners.

F. THE CITY UNIVERSITY OF NEW YORK – BYLAW AMENDMENTS TO ARTICLE XI OF THE BYLAWS:

RESOLVED, That Section 11.8 of the Bylaws be amended to read as follows:

SECTION 11.8. EQUIVALENCIES.

1. a. For appointment as an assistant professor, associate professor, or full professor in a field in which there is a research PhD., no other degree shall be accepted as equivalent to the PhD. unless there is also a professional doctorate 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.

RESOLVED, That the Board waives the Bylaw provision requiring that a Bylaw change be adopted at the regular or special meeting following the meeting that it was introduced.

EXPLANATION: This resolution amends Section 11.8 of the Bylaws, which sets forth degrees that are considered to be equivalent to the Ph.D. degree required for appointment to professorial titles. The current section on equivalencies is outdated, in that there are new terminal degrees in some fields, as well as professional doctorates which may be equivalent to the Ph.D. degree. In addition, the current section does not include the credentials required in some fields, such as journalism, where CUNY has new or expanded programs.

In order to avoid having to amend this Bylaw section every time there is a change in a degree requirement, the new language provides that, in cases where the Ph.D. is not the terminal degree in the field, the Executive Vice Chancellor and University Provost will prepare and circulate to the colleges a list of credentials that the university finds are equivalent to the Ph.D. degree. Having this up-to-date list of equivalencies will streamline the hiring process by taking account of changes in academic and professional credentials over time and will reduce the number of

Bylaw waivers needed because there is no Bylaw equivalency.(Note: the current text of the Bylaw is attached for your reference.)

NO. 5. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT: RESOLVED, That the following items be approved:

A. THE CITY UNIVERSITY OF NEW YORK - CUNY SCHOOL OF LAW AGREEMENTS:

RESOLVED, That the Board of Trustees of the City University of New York authorize The City University of New York ("CUNY") to enter into a Development Agreement, Purchase Agreement, and Condominium Documents ("Agreements") with Citibank, N.A., or another affiliate of Citibank ("Citibank") for the acquisition and renovation of a condominium unit in an existing property for the CUNY School of Law ("the "Project") at 2 Court Square, Long Island City, New York (Borough of Queens, Block 437, Lots 2, portion of 6, and 38) ("Project Site") and to execute any other documents related thereto. These agreements shall be subject to approval by the University Office of General Counsel; and be it further

RESOLVED, That the Board of Trustees of the City University of New York request the City University Construction Fund to authorize and execute any documents related to the Project, including the Agreements, if necessary or desired by CUNY.

EXPLANATION: CUNY intends to purchase a condominium unit consisting of six floors in an existing fourteen-story building at 2 Court Square, Long Island City, Queens. The CUNY School of Law, currently located in Flushing near Queens College, will be relocated to the Project Site.

On September 18, 2009, CUNY entered into a non-binding Letter of Intent ("LOI") with Citibank for the Project. The Project will be comprised of approximately 260,000 gross square feet of academic facilities including, without limitation, classrooms, offices, an auditorium, student/social common areas, library, and administrative/support space. Because the building was originally designed as an educational and training facility for Citibank, much of the interior space at the Project Site is already outfitted for these uses.

The Agreements will formalize the respective roles and responsibilities of Citibank and CUNY with respect to the acquisition and renovation of the Project.

The total Project renovation cost is estimated at approximately \$25 million of State-appropriated funds. Acquisition costs of the condominium interest are estimated at approximately \$155 million. Sources of funding include a State appropriation and the issuance of bonds on behalf of CUNY by a not-for-profit corporation (approved by resolution adopted September 29, 2009, Cal. No. 5B). It is anticipated the renovation will be completed for the Fall 2011 semester.

B. THE CITY UNIVERSITY OF NEW YORK - FIVE-YEAR CAPITAL BUDGET REQUEST, FY 2010-2011 THROUGH FY 2014-2015:

RESOLVED, That The City University of New York Board of Trustees approve a five-year Capital Budget Request for Fiscal Years 2010-11 through 2014-15 of approximately \$5.3 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 \$4.6 billion in new bonded and minor rehabilitation funding requested from the State, \$1.4 billion of which is required to complete existing projects; approximately \$700 million in new bonded and minor rehabilitation funding requested from the City, \$60 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.

NOTE: The Capital Budget Request and the schedule of projects are on file in the Office of the Secretary of the Board.

EXPLANATION: The FY 2010-11 through FY 2014-15 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 2010-11 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 B).

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. The FY 2010-11 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 2010-11 through FY 2014-14 Request

Priority Order for Requested Projects:

1. CUNY-wide projects to ensure health, safety, security, 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. CUNY-wide facility and infrastructure preservation projects
6. Individual campus renovation projects similar in scope to the CUNY-wide project types listed above
7. 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
8. CUNY-wide projects to meet energy conservation and performance objectives
9. CUNY-wide and individual campus projects for purposes other than those listed above

C. THE CITY UNIVERSITY OF NEW YORK – LEASE AT 875 SIXTH AVENUE, NEW YORK, NY, ON BEHALF OF THE CENTRAL OFFICE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Senior Vice Chancellor for Legal Affairs to execute a lease agreement (and any necessary modifications) for the premises at 875 Sixth Avenue, New York, NY, on behalf of the Central Office to extend the term for 15 years and expand the premises to approximately 91,000 rentable square feet of space. The lease shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The University currently leases approximately 42,552/SF of space on the 6th, 7th, 12th, and 14th Floors at 875 Sixth Avenue, pursuant to a lease that will terminate in January 2011. The current escalated base annual rent is \$1,803,000 (\$42.39/SF). The space is currently used by administrative units of the Central Office.

The University has come to an agreement with the landlord to replace the current lease with a new 15-year agreement. The new lease will permit the University to convert designated floors from office use to classroom use. This will allow the University to house the School of Professional Studies at this location.

The main terms of the new lease are as follows:

- At the beginning of the new lease term, add the entire 2nd Floor and part of the 9th Floor to the lease for a total rentable area of 62,000 square feet of space, and convert existing office space on the 2nd, 7th, 9th, and 12th floors to classroom space for use by the School of Professional Studies.
- At a future date, add approximately 28,000 square feet of space of additional space in the building to the lease for a total of 91,000 square feet of space. This additional space will also be converted to classroom space. The added space will be at the same rental rates as the existing space.
- Institute a new 15-year term to start upon substantial completion of the landlord's work as requested by the University.
- Estimated Base Annual Rent for all spaces under the new lease:
 - \$2,108,000 (\$34/SF) for years 1 – 3
 - \$2,232,000 (\$36/SF) for years 4 – 7
 - \$2,356,000 (\$38/SF) for years 8 – 10
 - \$2,604,000 (\$42/SF) for years 11 – 15

- The landlord, at landlord cost, will perform certain work on the leased floors pursuant to University specifications.
- The landlord will maintain building systems.
- The University will reimburse the landlord for its share of increases in real estate taxes, over a base year and operating escalations.
- The University will also pay for its electrical usage and cleaning.

D. THE CITY UNIVERSITY OF NEW YORK – LEASE AT 162-10 JAMAICA AVENUE, JAMAICA, NY, ON BEHALF OF THE CUNY PUBLIC SAFETY ACADEMY:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Senior Vice Chancellor for Legal Affairs to execute a new twelve-year, three-month lease agreement for approximately 15,000 rentable square feet of space at 162-10 Jamaica Avenue, Jamaica, New York, on behalf of the CUNY Public Safety Academy. The lease shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The CUNY Public Safety Academy provides initial training for new Public Safety Officers and ongoing training services for current Public Safety Officers of CUNY. For the past several years, the Academy has been operating out of space at York College. York College, which has experienced significant growth over the past several years, needs to convert the space currently used by the Public Safety Institute into lab space for its nursing program.

After a site selection process, the University is seeking to relocate the Public Safety Academy to 162-10 Jamaica Avenue, also known as Gertz Plaza, in Jamaica, New York. This location is convenient to public transit and also close to York College.

The main leasing terms are as follows:

- Term: approximately twelve years to start upon completion of landlord work.
- Area: approximately 15,000 rentable square feet of space located on the 7th floor.
- Estimated Base Rent: the annual base rental for the entire premises will be at a cost not to exceed \$375,000 (\$25.00/SF). The base rent will be increased by an estimated 3% per annum.
- The landlord, at landlord cost, will perform certain work on the leased floors pursuant to University specifications.
- The landlord will maintain building systems.
- The University will reimburse the landlord for its share of increases in real estate taxes, over a base year.
- The University will also pay for its electrical usage and cleaning.

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

A. COLLEGE OF STATEN ISLAND – REVISION OF THE STUDENT GOVERNMENT CONSTITUTION (ARTICLE IV OF THE GOVERNANCE PLAN):

RESOLVED, That the proposed amendments to the Student Government Constitution, Article IV of the Governance Plan, of the College of Staten Island be approved.

[] = omit underscore/italic = add

Article IV. CONSTITUTION OF THE STUDENT GOVERNMENT

Section 1. Guiding Principle

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

[Section 2. Name

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

Section 2. Mission Statement:

- a) To represent the needs and aspirations of all students at the College of Staten Island of the City University of New York to the faculty and administration of the college and university
- b) To protect the rights and welfare of students at the College of Staten Island
- c) To secure meaningful participation in academic policy and curriculum formation
- d) To engage in all other activities necessary to represent the students of the College of Staten Island

Section 3. Eligibility for Franchise and for Office

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

Section 4. Student Government

a) Membership

The Student Government shall be composed of [20] 25 representatives as follows:

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

Four Freshman seats

Seven Sophomore seats

Six Junior seats

Five Senior seats
One Graduate seat
One President
One Vice-President

b) Elections

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

At the annual election students shall be elected to serve on the Student Government into the specific seats as listed in Section (4) Membership.

At the annual election, student representatives shall also be elected to serve on the following bodies: College Council, Faculty-Student Disciplinary Committee, Auxiliary Services Corporation and the CSI Association, Inc.

Subsequent vacancies shall be filled by the Student Government at the second meeting in October by a majority vote of the senators currently serving on the Student Government after a minimum of two week's appropriate notice, unless more than 1/5th (20%) of the seats are vacant and contested. In that case a special election(voted by the student body) will be held by the last week in October to fill the vacancies. In the spring semester, subsequent vacancies will be filled by the Student Government at the last meeting in February, by a majority vote of the senators currently serving on the Student Government after a minimum of two weeks appropriate notice.

c) Terms of Office

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

Senators elected by special election shall hold office for the remainder of the academic year. The term of office for all Senators shall automatically expire upon no longer meeting eligibility requirements, graduation, withdrawal, or dismissal from the college. [Undergraduate] Students may not serve in Student Government for more than a total of five years. Students shall be permitted to serve in the same office in Student Government for a maximum of two years. Senators are expected to attend all regular and special meetings. [Any senator absent from a total of four meetings during the fall semester which will include the first two meetings in June or three meetings during the spring semester shall be automatically removed from office.] Any senator with a total of four unexcused absences during the fall semester which will include the first two meetings in June or three unexcused absences during the spring semester shall be automatically removed from office. An excused absence includes attending a meeting of a college committee or organization that s/he has been assigned or elected to in his/her capacity as a Student Government senator. Other excused absences are at the discretion of the President.

d) Meetings

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

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

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

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

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

e) Duties and Responsibilities

The Student Government shall:

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

2) Approve the composition) [but not the specific names] of commission memberships; (number of senators and students at large)

3) Consider disciplinary action against any officer, senator, commission member, or any other person responsible to and under the jurisdiction of the Student Government, on receipt of formal written charges by the Student Government. The Student Government must act on the charges within ten days of receipt. The latest edition of ROBERT'S RULES OF ORDER shall prevail at hearings or trials.;

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

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

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

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

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

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

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

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

12) Delegate responsibility for the implementation of its specific functions hereunder to any officer or committee it may appoint. Develop committees according to the needs of the student body such as, but not limited to, International Affairs Committee, Community Service Committee and have the following standing committees: Staffing and Publications.

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

Section 5. President of the Senate

a) Election and Term of Office

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

b) Duties and Responsibilities

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

- 1) Preside over meetings of the Student Government;
- 2) Give a timely report of all activities undertaken on behalf of the Student Government;
- 3) Prepare the agenda for meetings of the Student Government;
- 4) Implement measures enacted by the Student Government and submit periodic progress reports;
- 5) Preside over meetings of the student body;
- 6) Represent the student body at official functions;
- 7) Represent the student body in the College Council either directly or through a designee;

8) Prepare a transition document at the end of their term of office, which will provide an overview of the Student Government's accomplishments, ongoing initiatives and future goals.

Section 6. Commissioners

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

a) Election and Term of Office

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

b) Duties and Responsibilities

The Commissioners shall:

1) Submit to the Student Government [a written description of the commission's organization, budget, and operating procedure, for approval, within two weeks of the election of the Commissioner, and schedule and attend a minimum of one commission meeting per month;] the commission bylaws, membership and operating procedures by the second meeting of the fall semester and the meeting schedule for fall and spring by the second meeting of each semester.

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

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

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

[5) Submit reports a minimum of once per month on the finances and activities of the commission;] Prepare a transition document at the end of their term of office which will provide an overview of the commission's accomplishments, ongoing initiatives and future goals.

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

Section 7. Duties & Responsibilities of Student Government Members:

- a) Each semester Student Government senators shall establish office hours. Members shall furnish their availability for office hours to the Student Government Coordinator in writing by the second meeting of each semester.
- b) Each senator must serve on a minimum of one committee or commission, but no more than three commissions.

Section 8. Meetings of the Student Body

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

[Section 8. Representatives on Other Bodies

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

- a) College Council,
- b) Faculty-Student Disciplinary Committee,

- c) Auxiliary Services Corporation,
- d) CSI Association, Inc.]

Article V. AMENDMENTS:

Section 2. Amendments to Article IV.

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

EXPLANATION: The revised constitution adds a more defined mission statement for the Student Government and increases the number of representatives to 25 from 20. The allocation of seats will be changed from the current one of one graduate student, nine students from the junior and senior classes, nine students from the freshman and sophomore classes, and one at large student representative to four students from the freshman class, seven students from the sophomore class, six students from the junior class, five students from the senior class, one graduate student, one president and one vice president. It will eliminate the October special election and provides that vacancies after the annual election will be filled by a majority vote of the senators unless more than 20% of the seats are vacant and contested. In that case, these vacancies will be filled by a special election.

Previously, Senators who were absent for four meetings in the Fall semester or three meetings in the Spring semester were automatically removed. This amendment proposes that automatic removal will occur only if these absences are unexcused. It gives the President discretion to determine excused absences, and it recognizes that the attendance at meetings of a college committee or organization that the senator is assigned or elected will constitute an excused absence. It also increases quorum from 50% of the delegate body to 50% plus one. Although not part of the referendum, the document has been adjusted to comply with the Open Meetings Law by clarifying that quorum consists of 50% plus one of the total membership.

The revised constitution proposes a new requirement for the student government to hold regular meetings in the first two weeks in June and removes the requirement for meetings in the second week of the fall and spring semesters. It changes the process of the election of the President and Vice President of the Senate from a vote of the Senators after the election to a vote of the student body during the election. It adds of a provision that should the President resign, be dismissed or is incapacitated, the current vice president would assume the position and a new vice president would be elected by a majority vote of the Senators. It also adds a new duty to the office of the President which would require that he/she prepare a transition report which provides an overview of student government accomplishments ongoing initiatives and future goals. It proposes changing the name of the Student Center Commission to the Campus Center and Student Facilities Commission. It proposes the addition of a new standing Commission on Disabled Students & Veteran Affairs.

The revised constitution proposes that the Commissioner of each Commission be required to submit to the Student Government by-laws and operating procedures by the second meeting in the fall semester, as well as a monthly schedule for the fall and spring semesters. It provides that the outgoing Commissioners will be required to prepare a transition report at the close of their respective terms of office. Finally, it proposes a new section which requires each Student Government Senator submit in writing their availability for office hours and to serve on a minimal one Committee or Commission, but not more than three.

B. QUEENS COLLEGE - STUDENT UNION FEE INCREASE:

RESOLVED, That the student activity fees paid by all students at Queens College be increased by \$15.00 each semester, effective the Spring 2010 semester, to be allocated by the Student Services Corporation in accordance with the following student activity fee schedules for (1) Undergraduate Day Session Students (2) Undergraduate Evening Session Students and (3) Graduate Students:

(1) UNDERGRADUATE DAY SESSION STUDENTS

EARMARKED ALLOCATION BODY	FULL-TIME	PART-TIME	SUMMER I	SUMMER II
Student Government	\$ 6.00	\$ 3.00	\$ 1.34	\$ 2.83
College Association	11.00	5.50	2.41	5.17
Student Services Corp.	71.00	55.00	35.00	45.00
Sports Allocation Board	23.00	15.00	15.00	15.00
Comm. for Disabled Students	2.70	2.70	2.70	2.70
Child Development Center Board	2.70	2.70	2.70	2.70
NYPIRG	6.00	6.00	4.00	4.00
USS	0.85	0.85	0.85	0.85
Total Student Activity Fee	\$123.25	\$90.75	\$64.00	\$78.25

(2) UNDERGRADUATE EVENING SESSION STUDENTS

EARMARKED ALLOCATION BODY	FULL-TIME	PART-TIME	SUMMER I	SUMMER II
Student Government	\$ 6.00	\$ 3.00	\$ 1.34	\$ 2.83
College Association	11.00	5.50	2.41	5.17
Student Services Corp.	71.00	55.00	35.00	45.00
Sports Allocation Board	18.00	13.00	15.00	15.00
Comm. for Disabled Students	2.70	2.70	2.70	2.70
Child Development Center Board	2.70	2.70	2.70	2.70
NYPIRG	6.00	6.00	4.00	4.00
USS	0.85	0.85	0.85	0.85
Total Student Activity Fee	\$118.25	\$88.75	\$64.00	\$78.25

(3) GRADUATE STUDENTS

EARMARKED ALLOCATION BODY	FULL-TIME & PART-TIME	SUMMER I	SUMMER II
Student Government	\$ 3.00	\$ 1.34	\$ 2.74
College Association	4.75	2.41	5.01
Student Services Corp.	55.00	35.00	45.00
Sports Allocation Board	8.00	8.00	8.00
Comm. for Disabled Students	2.70	2.70	2.70
Child Care	1.95	1.95	1.95
NYPIRG	4.00	4.00	4.00
USS	0.85	0.85	0.85
Total Student Activity Fee	\$80.25	\$56.25	\$70.25

EXPLANATION: The above schedules represent an increase of \$15 for the Queens College Student Union to be paid by all Queens College students each semester.

Under the agreement between The City University (the Board of Higher Education) and the Queens College Student Services Corporation, the Student Union fee is not made subject to the student referendum procedures outlined in University bylaw section 16.12. The Student Services Corporation (Student Union Board) composed of 2 CUNY Trustees, 11 faculty/administrators, 7 students and 1 alumnus unanimously voted to increase this fee which was not increased since 1983. The Board acted because the budget for the Student Union has a shortfall for the current

fiscal year of approximately 500K. Recognizing the need to maintain a balanced budget, the Board of Directors of the Student Union has recommended that a Student Union/College compact be created wherein all parties with a stake in having a well functioning Student Union come up with additional support to help balance the Union budget. The President of the College strongly supports this effort and recommends that the CUNY Board of Trustees approve a Student Union fee increase of \$15.00 per semester, beginning in the Spring 2010 semester to help accomplish this goal.

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

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

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

COLLEGE	DEGREE
HUNTER COLLEGE	
Alan Alda	Doctor of Humane Letters
Arlene Alda (To be conferred at the winter or spring commencement, subject to the recipient's availability)	Doctor of Humane Letters
Leon Cooperman (To be conferred at the winter or spring commencement, subject to the recipient's availability)	Doctor of Humane Letters
Seamus Heaney (To be conferred at a special ceremony on April 21, 2010)	Doctor of Humane Letters