

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

**REVISED  
CALENDAR**

**JUNE 28, 2010**

**NO. 1. CHANCELLOR'S UNIVERSITY REPORT:** RESOLVED, That the Chancellor's University Report for June 28, 2010 (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 April 26, 2010 be approved.

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

**A. THE CITY UNIVERSITY OF NEW YORK - COMMITMENT DEPOSIT:**

RESOLVED, That, effective with the spring 2011 semester, the Board of Trustees of The City University of New York authorizes the college presidents to require of students who have been admitted to associate, baccalaureate, masters and professional programs, a non-refundable commitment deposit of \$100 for undergraduate programs and \$250 for masters and professional programs indicating their intention to enroll in such programs.

EXPLANATION: Most universities and colleges throughout the country require that students who have been accepted for admission submit a commitment deposit as an indication of their intent to enroll. A commitment deposit will enable the City University senior and community colleges to obtain more accurate enrollment data, which is critical to decisions related to academic planning, faculty hiring, course offerings and student services. All funds collected will be deposited in the college's tuition and fee account. While the deposit will be non-refundable, for students who enroll the amount of the commitment deposit will be credited toward the student's tuition. Financial hardship waivers will be considered based upon demonstrated financial need as determined by the colleges.

**B. THE CITY UNIVERSITY OF NEW YORK - REMEDIATION TESTING SERVICES:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute an amendment to Agreement No. N001005 with ACT, Inc. on behalf of The City University of New York to extend the term of the agreement for thirty (30) months to December 31, 2012. The funding for such extension period shall not exceed a total estimated cost of \$1,000,000 chargeable to the appropriate FAS Codes. The amendment shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: Pursuant to Board Policy, Cal. No. 5. A. of September 27, 1999, ACT will continue to develop suitable tests to evaluate whether students entering the University require remediation and to evaluate when students may exit remediation. The extension term will allow CUNY to develop and issue a Request for Proposals and award a new contract.

**C. THE CITY UNIVERSITY OF NEW YORK - CONSOLIDATED FINANCIAL STATEMENT AUDIT SERVICES:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute an amendment to Agreement No. NMP6001 with KPMG, Inc. on behalf of The City University of New York to extend the term of the contract for three (3) years to December 31, 2012 for audit, tax and advisory services. The services shall not exceed a total estimated cost of \$2,225,000, chargeable to the appropriate New York City FAS Codes. The contract amendment shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The financial audit services provided by KPMG, Inc. support CUNY's statutory requirement to produce Consolidated University Financial Statements each fiscal year. The three (3) year extension will ensure continuity of services as CUNY completes its transition to the CUNYfirst financial system.

**D. (ADDED ITEM) THE CITY UNIVERSITY OF NEW YORK - CCNY PARKING FEE INCREASE:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes The City College of New York to implement an increase to its parking fees beginning July 1, 2010, as follows: The current general parking fee of \$400.00 per year will be increased to \$600.00 per year, and reserved parking of \$500.00 per year will be increased to \$700.00 per.

EXPLANATION: The City College Auxiliary Enterprises Corporation (AEC) provides parking services on The City College campus. As an auxiliary enterprise function, parking services should generate sufficient revenue to cover the cost of its operating expenses. The operating expenses include security, insurance, repairs and long term maintenance of the parking locations including those in the NAC and south campus parking lots. Unfortunately, parking services is running a deficit, and the AEC is requesting a fee increase to close the deficit and create a reserve to do parking lot maintenance and re-construction.

The current fee structure is \$400/per year for general parking and \$500/per year for reserved. There were a total of 445 permits sold during the 2009-10 fiscal year. Of those faculty represented 42%, staff represented 47% and students represented by less than 1% of the permit holders. There are a total 297 parking spaces on campus.

As of April 28, 2010, the AEC has collected a total of \$179,988.10 in parking revenue. This amount will cover the entire fiscal year. These fees should cover the expense of security and maintenance. However, the AEC has already spent \$177,436.06 in expenses as of April 2010. As a result, if the expenses remain at the same level until the end of the fiscal year, the College will have to expend \$79,190.65 from its own College-wide budget to cover the cost of security. In addition, since the parking enterprise is running on a deficit, there are no reserve funds for maintenance expenses. Those expenses have and will continue to be absorbed by the College, until sufficient revenue is generated to off-set those expenses.

The CCNY AEC is requesting that the parking rate be increased an additional \$200 for both reserved and general parking. City College evening students will not be subject to the increase. Evening student rates will remain at \$150.00. The additional fee should cover the cost of all security expenses, as well as generate enough revenue to establish a reserve for maintenance expenses. The South Campus parking lot has suffered many years of deferred maintenance, and is now requiring a complete re-construction. The AEC would like to establish a reserve in order to install proper drainage, grading, paving and lighting.

The current market rate for annual parking fees in upper Manhattan averages at \$3,180/per year. The high end of the market is \$6,168/per year and the low end is 2,100/per year.

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

**A. GRADUATE SCHOOL AND UNIVERSITY CENTER - JOINT REGISTRATION WITH ALL BACCALAUREATE PROGRAMS OFFERED AT BARUCH, BROOKLYN, CITY, HUNTER, LEHMAN, QUEENS, AND STATEN ISLAND COLLEGES:**

RESOLVED, That the Graduate School and University Center, jointly with Baruch College, Brooklyn College, City College, Hunter College, Lehman College, Queens College, and College of Staten Island, be authorized to offer jointly all currently registered baccalaureate programs and any baccalaureate programs to be registered in the future leading to the B.A., B.S., B.S.N., B.E., B.B.A., B.F.A., B.ARCH, and B.MUS degree awards effective July 1, 2010, subject to financial ability; and be it further

RESOLVED, That the Graduate School and University Center be authorized to award degrees for the above referenced baccalaureate degree programs only to Macaulay Honors graduates who have been duly certified and recommended for graduation by both Macaulay Honors College and one of the above referenced colleges.

EXPLANATION: The requested action is a technical registration change creating separate Inventory of Registered Programs (IRP) entries for programs used by Macaulay Honors College students as offered jointly by the participating Senior Colleges and the Macaulay Honors College as part of the Graduate School and University Center. The new program codes will be used solely for Macaulay Honors College students. The existing curricula of these programs and other aspects of the program offering will remain unchanged. These joint registrations are intended to enable Macaulay Honors College, as part of the Graduate School and University Center, to be officially recognized as the grantor of a degree and to showcase the ongoing success in attracting, supporting and retaining outstanding students within Macaulay Honors College. This action will allow easier tracking of students and promote a better coordinated experience and a stronger sense of community for all Macaulay Honors students regardless of home college. In effect, students will continue to have a small liberal arts college experience and gain the advantage of association with the nationally recognized Macaulay Honors College.

As of Fall 2009, 1,372 Macaulay Honors students were enrolled in one of the seven participating CUNY Senior Colleges. Seventy-four percent of the Macaulay Honors Class of 2013 are New York City residents; fifty-six percent of these are graduates of public schools; more than thirty percent are first-generation college students; and, more than sixty percent are immigrants or children of immigrants. Graduates of Macaulay Honors College have achieved prestigious national fellowship and scholarship awards, including two Fulbrights, and Mitchell, Rhodes, and Truman awards.

**B. HUNTER COLLEGE - LETTER OF INTENT FOR THE DOCTOR IN NURSING PRACTICE:**

RESOLVED, That the Letter of Intent for a proposed program in Nursing Practice leading to the Doctoral degree (DNP) to be offered at Hunter college be approved, effective July 1, 2010, subject to financial ability.

EXPLANATION: 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, therapeutics (pharmacologic/nonpharmacologic), 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 School of Nursing 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).

**C. COLLEGE OF STATEN ISLAND - BA IN ITALIAN STUDIES AND ITALIAN STUDIES ADOLESCENT EDUCATION (GRADES 7-12):**

RESOLVED, That two programs in Italian; one in Italian Studies, and one providing state certification in secondary education, both leading to the Bachelor of Arts degree to be offered at the College of Staten Island be approved, effective July 1, 2010, subject to financial ability.

EXPLANATION: The purpose of the programs is to provide graduates with the knowledge and skills necessary to follow three distinct post-graduation trajectories: employment in the private sector; graduate studies in Italian, and initial certification in secondary education in Italian. Therefore, the program will require two separate program registrations, one leading to the Bachelor of Arts in Italian; the other leading to a Bachelor of Arts and state certification in secondary Italian education. The program comes with letters of support from The Graduate Center of CUNY and the Department of Italian Studies at New York University.

Forty percent of Staten Island residents claim Italy as their nation of ancestry and during academic year 2009-10 alone, nearly nine-hundred students were enrolled in Italian Language and Italian Studies courses. Thus, by creating an Italian Studies major, CSI would complement and benefit from the rich heritage of the borough's residents by allowing them to pursue an academic course of study that remains timely and relevant.

**D. CITY COLLEGE - MFA IN DIGITAL AND INTERDISCIPLINARY ART PRACTICE:**

RESOLVED, That the program in Digital and Interdisciplinary Art Practice leading to the Master of Fine Arts degree to be offered at City College be approved, effective July 1, 2010, subject to financial ability.

EXPLANATION: The purpose of the proposed program is to provide highly competitive graduate education in digital, photographic and interdisciplinary art practice based on the integration of research and conceptually-driven methods and through a broad variety of changing digital, photographic and interdisciplinary media. The program will distinguish itself from the existing MFA by its focus on digital media and photography. Students will acquire skills transferable to many media and technology-based disciplines and be ready for employment in various fields, including social media, information architecture, communication and interactivity design, and so on. They will also be prepared for academic positions in digital art. The program is supported by the Connor Fund, a \$5.3 million dollar bequest.

**E. CITY COLLEGE - MS.ED. IN TEACHING SPANISH IN SECONDARY SCHOOLS FOUR (4) PROGRAMS:**

RESOLVED, That the four programs in Secondary Spanish (grades 7-12) all leading to the Master of Science in Education degree to be offered at City College be approved, effective July 1, 2010, subject to financial ability.

EXPLANATION: City College is proposing four programs in Secondary Spanish (7-12) Education, all leading to the Master of Science in Education degree. The four programs will have somewhat separate curricula and admission requirements and will be separately registered with the New York State Department of Education, but the proposals are presented in a single document because a substantial portion of the curriculum is shared, and because the faculty resources and budget are overlapping. One program will lead to initial certification for candidates who hold a B.A. in Spanish but do not have initial certification. Another program will lead to initial certification for candidates who hold a B.A. in a field other than Spanish but do not have initial certification. The two other programs will lead to professional certification, one for candidates who hold initial certification in Secondary Spanish (7-12) and another for candidates who hold initial certification in an area other than Spanish. The proposed programs will provide students with the knowledge and skills needed to become successful as Spanish teachers, foreign language curriculum designers, or classroom teachers who desire to integrate Spanish instruction into their curriculum for content knowledge and literacy development.

The proposed programs are designed to meet the New York State requirements and cater to current and prospective teachers with Spanish and/or Education backgrounds. The programs were developed in response to growing

demand for teacher certified Spanish educators who can address the needs of learners of Spanish as a foreign language and as a heritage language.

**F. QUEENSBOROUGH COMMUNITY COLLEGE AND YORK COLLEGE - DUAL/JOINT AS/BS IN BIOTECHNOLOGY:**

RESOLVED, That the dual/joint program in Biotechnology leading to the Associate in Science degree in Biotechnology at Queensborough Community College, and in Biotechnology leading to the Bachelor of Science degree at York College, be approved, effective July 1, 2010, subject to financial ability.

EXPLANATION: The purpose of the proposed joint registration is to provide Queensborough Community College (QCC) students with the first two years of the four-year program in Biotechnology at York College, and to guarantee Queensborough graduates seamless transfer into the upper division baccalaureate program at York College with no loss of credit.

The proposed program builds on the strengths of QCC programs and faculty expertise. Local industry/University partners such as the FDA, Stony Brook University and Biotechnology Center, Albert Einstein Medical College, and North Shore—Long Island Jewish Hospital, will provide students with hands-on internship and field experiences, thereby enhancing and reinforcing their technical skills.

**G. LAGUARDIA COMMUNITY COLLEGE - AAS IN INDUSTRIAL DESIGN TECHNOLOGY:**

RESOLVED, That a program in Industrial Design Technology leading to an Associate in Applied Science degree to be offered at LaGuardia Community College be approved, effective July 1, 2010, subject to financial ability.

EXPLANATION: The goal of this program is to train and educate students in Industrial Design who will work with designers, architects and engineers to design and fabricate products. This proposed program builds on and replaces the existing Design Studies Option that has had encouraging growth since its creation in the fall of 2005. Course offerings will prepare students for real world access to the commercial and technical design marketplace. Letters of support from potential employers have been included.

**H. LAGUARDIA COMMUNITY COLLEGE - AS IN ENVIRONMENTAL SCIENCE:**

RESOLVED, That a program in Environmental Science leading to an Associate in Science degree to be offered at LaGuardia Community College be approved, effective July 1, 2010, subject to financial ability.

EXPLANATION: The goal of this program is to prepare students for entry-level jobs with governmental agencies and private businesses in the area of pollution control, land and water ecology and nature conservation. The American Solar Society estimates that the U.S. has 8.5 million jobs in "renewable energy or energy efficient industries" and the Apollo Alliance predicts that "the U.S. could generate between three and five million more green jobs over ten years" and that "...most are "middle-skill" jobs, requiring more education than a high school diploma, but less than a four-year degree." In addition to preparing students for direct employment, the program is an excellent foundation for further education in the environmental sciences. An articulation with Queens College to its Bachelor of Science program in Environmental Science has been signed.

**I. CITY COLLEGE - CUNY REMOTE SENSING OF EARTH SCIENCE AND TECHNOLOGY INSTITUTE:**

RESOLVED, That the CUNY Remote Sensing of Earth Science and Technology (CREST) Institute be approved at City College in accordance with the Policy Guidelines for Centers, Institutes, and Consortia set forth by the Board of Trustees, effective July 1, 2010.

EXPLANATION: The primary focus of the proposed institute will be: 1) to conduct cutting-edge research to understand and predict changes in the earth's environment, from the depths of the oceans to the surface of the sun; 2) to help conserve and manage our coastal and marine resources by using satellites and remote sensing science

and technology; 3) to help educate the next generation of scientists and engineers to address global, regional, and national initiatives in the exploration and protection of the earth's environment. The Institute will be housed at City College and involve the participation of other campuses, such as Lehman College, New York City College of Technology and Bronx Community College.

CUNY-CREST would be the only National Remote Sensing Research Institute in the northeast region of the United States. Because of its location in the most renowned city of the world as well as the world's largest urban public higher education institution, CUNY-CREST is also in a unique position to address the underrepresentation of minorities in science, technology, engineering and mathematics (STEM). Since 2000-2001 City College has been one of five (5) Cooperative Science Centers partnered with the U.S. Department of Commerce, National Oceanic and Atmospheric Administration's (NOAA) Education Partnership Program (EPP). The primary goal of NOAA/EPP is to increase the number of minority individuals in STEM fields.

The ground-breaking research of faculty that would be affiliated with the Institute has attracted important funding. Over the past seven years this has included \$19 million from NOAA, \$5 million from NSF, NASA and the Office of Naval Research, and \$6 million from other sources.

**J. BROOKLYN COLLEGE - REORGANIZATION OF THE DEPARTMENT OF ECONOMICS AND THE ESTABLISHMENT OF A NEW DEPARTMENT OF ACCOUNTING AND A NEW DEPARTMENT OF FINANCE AND BUSINESS MANAGEMENT:**

RESOLVED, That the existing Department of Economics at Brooklyn College be reorganized by dividing it into three separate departments: the Department of Economics (reconstituted) and two new departments, the Department of Accounting and the Department of Finance and Business Management, to be effective September 1, 2010.

EXPLANATION: Pursuant to academic and institutional planning, and following consultation of the President and the Provost with the faculty involved and with the College's governance bodies, Brooklyn College proposes to divide the Department of Economics into three departments, Economics (reconstituted) and two new departments: a Department of Accounting and a Department of Finance and Business Management, to be effective September 1, 2010. The new departments will better reflect the diverse academic disciplines in which the current Economics faculty are credentialed. It is anticipated that the proposed reorganization will enhance scholarship, research, and faculty development and collaboration, as well as improving curricular development and increasing educational opportunities for students. The Department of Economics currently houses several of the highest enrolled major programs in Brooklyn College (in Accounting and in Business) which can be managed more effectively in smaller departments with particularly defined missions. No changes in curriculum per se are proposed with this reorganization. Support and staffing needs of the three departments will, with assistance from the administration, be addressed more directly as a result of the departmental reorganization.

Separate resolutions have been submitted to the Board of Trustees via the Chancellor's University Report regarding the transfer and appointment of faculty to the new departments. Contingent upon the approval of the Board of Trustees, designated faculty members eleven (11) will be transferred from the Department of Economics to the new Department of Accounting and twenty-five (25) designated faculty members will be transferred from the Department of Economics to the new Department of Finance and Business Management, effective September 1, 2010. Ten (10) faculty members will remain in the Department of Economics.

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

**A. THE CITY UNIVERSITY OF NEW YORK - AMENDMENTS TO NON-DISCRIMINATION POLICY:**

RESOLVED, That The City University of New York Non-Discrimination Policy be adopted, as amended, effective July 1, 2010.

## **Non-Discrimination Policy**

### **Statement of Principles**

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

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

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

### **Policy Statement**

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

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

The City University of New York, as a public university system, adheres to federal, state, and city laws and regulations regarding non-discrimination and affirmative action including among others Section 1324b of the Immigration and Nationality Act (INA), Executive Order 11246, as amended, Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, as amended and the Age Discrimination Act of 1975, the New York State Human Rights Law and the New York City Human Rights Law. The "protected classes," as delineated in Executive Order 11246: (i.e. Black, Hispanic, Asian/Pacific Islander, American Indian/Alaskan Native and Women), were expanded on December 9, 1976 by the Chancellor of The City University of New York to include Italian-Americans. The Office of Management and Budget further expanded these protected classes in 2006 to include two or more races (not Hispanic or Latino) and replaces Asian/Pacific Islander, with Asian (not Hispanic or Latino) and Native Hawaiian (not Hispanic or Latino) and Black will be renamed as Black or African American (not Hispanic or Latino).

Should any federal, state, or city law or regulation be adopted that prohibits discrimination based on grounds or characteristics not included in this policy, this policy shall be read to prohibit discrimination based on those grounds or characteristics, as well.

### **Responsibility for Compliance**

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

### **Discrimination Complaints**

The City University of New York is committed to addressing discrimination complaints promptly, consistently and fairly. There shall be a discrimination complaint procedure administered by each unit of the University.

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

**EXPLANATION:** The University's Non-Discrimination Policy, which was last amended on July 1, 2006, is being further amended in two respects.

First, the Policy is being amended to add "Section 1324b of the Immigration and Nationality Act (INA)" as a non-discrimination statute to which the University adheres. This law, among other things, prohibits employment discrimination on the basis of citizenship or immigration status and prohibits employers from unfair documentary practices in connection with the I-9 employment eligibility verification process. The addition of this statute to CUNY's policy is required by a recent settlement of a lawsuit brought against the University by the U.S. Department of Justice. CUNY will also be revising its Procedures on Non-Discrimination and Sexual Harassment to comply with the Department of Justice settlement agreement.

Second, the Policy has been amended to make clear that all complaints of discrimination, including those brought by students, are investigated under the University's discrimination complaint procedure, pursuant to which all complaints of discrimination are brought to and investigated by the College's Affirmative Action/Compliance and Diversity Officer. The current Policy is inconsistent with these procedures as it provides for student discrimination complaints to be investigated by the College's Chief Student Affairs Officer or his/her designee. The Colleges' Affirmative Action/Compliance and Diversity Officers are specifically trained to investigate complaints of discrimination and should be responsible for performing these functions in all cases.

### **B. GRADUATE SCHOOL AND UNIVERSITY CENTER - REVISIONS TO THE UNIVERSITY CENTER GOVERNANCE PLAN:**

RESOLVED, That the Board of Trustees of The City University of New York hereby approves the amendments to the governance plan for the University Center of the Graduate School and University Center of The City University of New York to establish the CUNY School of Public Health at Hunter College as a unit of the University Center, effective July 1, 2010.

**EXPLANATION:** Under the leadership of Executive Vice Chancellor and University Provost Alexandra Logue, Founding Dean Kenneth Olden and Presidents Jennifer Raab, William Kelly, Karen Gould, Ricardo Fernandez and their respective provosts and other staff, and the public health faculty from a number of campuses, the University has been working for almost four years to establish the CUNY School of Public Health at Hunter College. The School of Public Health will offer baccalaureate, masters and doctoral degrees in public health and related disciplines and will involve collaboration among four institutions – Hunter College, the Graduate School and University Center, Brooklyn College and Lehman College. The School of Public Health has successfully passed the first stage in the accreditation process and now needs a governance structure to move to the next stage. As with other consortial schools and programs, the School of Public Health will be housed in the University Center. The attached governance plan is the result of more than a year of discussion, review and revisions involving public health faculty and administrators from all of the consortial campuses and the University Faculty Senate.

### **C. THE CITY COLLEGE OF NEW YORK - NAMING OF THE JOEL ZELNICK CLASS OF 1954 AND BARBARA ZELNICK CONFERENCE ROOM:**

RESOLVED, That the Board of Trustees of The City University of New York approves the naming of Room 119, located on the 7th floor of the North Academic Center at The City College of New York, as "The Joel Zelnick Class of 1954 and Barbara Zelnick Conference Room."



**EXPLANATION:** Joel Zelnick is a 1954 alumnus of City College who has pledged more than \$1,000,000 in cash, annuities and bequests to The City College of New York's 21<sup>st</sup> Century Foundation for the benefit of the Psychology Department. The funds are intended to support a professorship in Psychology and a scholarship for students with disabilities. In recognition of his generosity, the College requests that Room 119 of the North Academic Center be named "The Joel Zelnick Class of 1954 and Barbara Zelnick Conference Room."

Mr. Zelnick earned a B.S. in Industrial Psychology from City College in 1954, and an M.A. at the Institute of Labor and Industrial Relations at the University of Illinois in 1957. He has demonstrated his deep commitment to education through the higher education courses he has taught and the technical seminars he has conducted throughout the United States and Canada. Mr. Zelnick was a member of the initial design and analysis team for the first Airline Reservation System, SABRE, and he supervised and designed one of the first online matching systems for the New York State Department of Labor.

**D. HUNTER COLLEGE - NAMING OF THE PATRICIA PHELPS DE CISNEROS PROFESSOR OF LATIN AMERICAN ART:**

RESOLVED, That the Board of Trustees of The City University of New York approves the naming of The Patricia Phelps de Cisneros Professor of Latin American Art at Hunter College.

**EXPLANATION:** The Fundación Cisneros has pledged \$1,000,000 to The Hunter College Foundation, Inc. to establish The Patricia Phelps de Cisneros Professor of Latin American Art for an initial term of five years. In addition to teaching, the Patricia Phelps de Cisneros Professor will develop curricula used in teaching graduate and undergraduate students, present public programs about Latin American art to the Hunter and New York community, act as an ambassador for Latin American art and organize exhibits utilizing the Colección Patricia Phelps de Cisneros. The gift will be used to fund the salary for the position, and otherwise as determined by the President in consultation with the Provost, which may include providing a salary supplement, support services and/or project support to the holder of the named position.

Fundación Cisneros was founded by Patricia Phelps de Cisneros and Gustavo A. Cisneros. Patricia Phelps de Cisneros is the Founding Chairman of Fundación Cisneros and serves as a Trustee to the Museum of Modern Art. Gustavo A. Cisneros is Chairman of the Cisneros Group of Companies, one of the largest privately held media, entertainment, telecommunications and consumer products organizations in the world. The Fundación Cisneros is committed to enriching educational opportunities throughout Latin America and increasing global awareness of the breadth of Latin America's contributions to world culture.

The generous gift of the Fundación Cisneros will support Hunter College's Art Department and enable the College to increase awareness and appreciation of Latin American art within Hunter and the New York community.

**E. DISTINGUISHED PROFESSORS:** RESOLVED, That the following be designated Distinguished Professor in the department, and the college, and for the period indicated, with compensation of \$28,594 per annum in addition to their regular academic salaries, subject to financial ability:

COLLEGE	NAMES	DEPARTMENT	EFFECTIVE
Graduate School and University Center	Uday Singh Mehta	Political Science	September 1, 2010
Graduate School and University Center	Alva Noë	Philosophy	September 1, 2010
Graduate School and University Center	Paul Julian Smith	Hispanic and Luso-Brazilian Literatures and Languages	September 1, 2010
Brooklyn College	Mac Wellman	English	September 1, 2010

**F. (ADDED ITEM) HUNTER COLLEGE - ESTABLISHMENT OF THE SCHOOL OF URBAN PUBLIC HEALTH AS AN INDEPENDENT SCHOOL WITHIN HUNTER COLLEGE:**

RESOLVED, That the School of Urban Public Health shall be established as a separate unit within Hunter College with a Dean and with all of the attributes and responsibilities of a school at Hunter College including a Personnel & Budget Committee; and be it further

RESOLVED, The Dean of The City University of New York (CUNY) School of Public Health at Hunter College shall also serve as Dean of the Hunter College School of Urban Public Health; and be it further

RESOLVED, That the Dean shall work with the Public Health faculty to recommend any changes to organizational structures within the Hunter College School of Urban Public Health appropriate to preserve the School's representation in College governance bodies and procedures to reflect its new status and structure; provided that any such changes that require approval of the Board of Trustees shall be submitted to the Board for approval prior to implementation; and be it further

RESOLVED, That until such time as revised procedures are adopted pursuant to the foregoing resolution all procedures shall continue to be governed by the procedures adopted by the Board on June 23, 1997; and be it further

RESOLVED, That any inconsistent provisions of the resolutions of this Board of June 23, 1997, December 18, 1978 and June 17, 1974 and June 20, 2008 be superseded.

EXPLANATION: The Urban Public Health Program at Hunter College is currently a program of the Hunter College School of Health Sciences. The School of Health Sciences is also home to clinical programs in Physical Therapy, Medical Lab Sciences and Audiology/Communication Sciences. Hunter College will be the lead institution for the new CUNY School of Public Health at Hunter College. The Council on Education for Public Health, the accrediting body for public health, has advised that in order to be accredited as a school, the public health program at the lead institution must have similar rights and responsibilities as other schools at Hunter College and must be free-standing. Accordingly, this resolution is intended to remove the Urban Public Health program from the School of Health Sciences and constitute it as a separate School of Urban Public Health within Hunter College.

**G. (ADDED ITEM) THE CITY UNIVERSITY OF NEW YORK - 2010 EARLY RETIREMENT INCENTIVE PROGRAM:**

WHEREAS, Chapter 105 of the Laws of 2010 has been approved by the New York State Legislature and signed by the Governor; and

WHEREAS, Chapter 105 of the Laws of 2010 has two parts, Part A and Part B, which offer different and exclusive incentives for retirement; and

WHEREAS, Both Part A and Part B of Chapter 105 of the Laws of 2010 provide that the Board of Trustees may elect to provide its employees the retirement incentive authorized therein; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York approve the participation of The City University of New York, including the senior and community colleges, in the Retirement Incentive Program provided by both Part A and Part B of Chapter 105 of the Laws of 2010; and be it further

RESOLVED, That with respect to the Retirement Incentive Program provided by Part A of Chapter 105 of the Laws of 2010, the full-time faculty will be eligible to participate and that other titles eligible to participate will be determined by the Chancellor; and be it further

RESOLVED, That the open period for "college faculty" as defined in Part A will commence on November 1, 2010 and conclude on January 27, 2011; and the open period for eligible employees other than "college faculty" will commence on August 31, 2010 and conclude on November 24, 2010; and be it further

RESOLVED, That with respect to the Retirement Incentive Program provided by Part B of Chapter 105 of the Laws of 2010, full-time instructional and classified staff titles, except for titles in the Executive Compensation Plan, will be eligible to participate; and be it further

RESOLVED, That there be a single open period for all eligible employees to participate in the program provided pursuant to Part B of Chapter 105 of the Laws of 2010, which will commence on July 1, 2010, and conclude on September 28, 2010; and be it further

RESOLVED, That the Chancellor is authorized to take all steps necessary to implement the Retirement Incentive Programs provided by Part A and Part B of Chapter 105 of the Laws of 2010 and that the Board of Trustees will receive appropriate reports on the impact of the Programs.

EXPLANATION: Part A of Chapter 105 of the Laws of 2010 provides certain eligible employees who are age 50 or over with at least 10 years of service the opportunity to retire and receive additional service credit if the employee is a member of the New York State and local employees' retirement system, the New York City teachers' retirement system, the New York City Board of Education retirement system, or the New York City employees' retirement system, or to receive an additional contribution to the retirement account if the employee is enrolled in the optional retirement program (TIAA/CREF). The legislation prescribes that the open period cannot exceed 90 days in length and further prescribes dates by which the open period must end for instructional staff and classified staff. The legislation also requires that the Board of Trustees must adopt a resolution to provide the retirement incentive on or before August 31, 2010.

Part B of Chapter 105 of the Laws of 2010 provides certain eligible employees who are age 55 or over with at least 25 years of service with a 90 day opportunity to retire without benefit reductions that would ordinarily be applied for retiring before age 62. The incentive is available to members of the New York State and local employees' retirement system, the New York City teachers' retirement, system, the New York City Board of Education retirement system, and the New York City employees' retirement system.

Under the statute, members of the Executive Compensation Plan are ineligible to participate in either Part A or Part B. "College faculty," for The City University of New York, is defined by the statute as "an employee, not in the classified service . . . who is a member of a teachers' retirement system, the new york state and local employees' retirement system or a participant in an optional retirement program."

Participation in the ERI will provide the University with greater flexibility to address the current fiscal challenges.

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

**A. BROOKLYN COLLEGE - CAMPUS-WIDE FIRE ALARM AND SECURITY SYSTEM:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a contract with Johnson Controls, Inc., on behalf of Brooklyn College, for design services and equipment installation to complete Phase 1 of a multi-phase project to upgrade the campus-wide fire alarm and security systems at Brooklyn College, under existing New York State Office of General Services Contract No. PT63103. The total cost of all such purchases shall be chargeable to the State Capital Construction Fund, Project No. 2875209999 for an amount not to exceed \$5,500,000.

EXPLANATION: Brooklyn College will use these services and equipment to complete the design and installation of the Phase 1 work, which includes a campus-wide Feasibility Study, installation of infrastructure, and a new Central

Command Station in Ingersoll Hall. This proposed design and installation will be CUNY-managed through the City University Construction Fund.

**B. HOSTOS COMMUNITY COLLEGE - 475 GRAND CONCOURSE ADA RENOVATION PROJECT:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a construction contract on behalf of Hostos Community College to combine and renovate the 20 existing toilet rooms in 475 Grand Concourse into 12 larger toilet rooms – six men's and six women's – that will be ADA-accessible, more energy- and water-efficient, and easier to maintain. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. The contract cost shall be chargeable to the City Capital Budget, Project No. 042 CA202HS04, for an amount not to exceed \$2,881,000. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: Hostos Community College will renovate the existing toilet rooms in 475 Grand Concourse.

**C. LEHMAN COLLEGE - NEW CHILD CARE CENTER:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a construction contract with Axis Construction Corp., on behalf of Lehman College, for construction of a new Modular Child Care Center on the Lehman College campus. Axis Construction was the lowest responsive and responsible bidder in response to a public advertisement published December 7, 2009 and sealed competitive bid opened on March 16, 2010, pursuant to law and University regulations. The contract cost for the modular building construction and installation shall be chargeable to the State Capital Construction Fund, Project No. LM054-094 for an amount not to exceed \$6,077,700. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: Lehman College will install a new Modular Child Care Center building.

**Notes:**

The Board approved the award of a GSA Contract to Vanguard Modular Building Systems for purchase of the modular building (installation costs were not included) at a cost of \$1,667,270, by resolution adopted November 27, 2006, Cal. No. 7.D. CUNY did not execute the contract with Vanguard.

For purpose of comparison, Vanguard is nearing completion on construction of a modular Child Care Center at Bronx Community College. The total for that project is \$6,592,000, which is \$498/SF for the 13,245 GSF two-story modular building.

Vanguard is also the second lowest bidder on the Lehman Child Care Center project at \$7,298,575 or \$561/SF.

The current bid from Axis appears to be responsive to current market conditions for a building of the proposed size and type. Axis Construction has been determined to be responsive and responsible as the lowest qualified bidder.

**D. THE CITY UNIVERSITY OF NEW YORK - LEASE EXTENSION AT 620 ISHAM STREET (aka 108 COOPER STREET), NEW YORK, NEW YORK:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a lease extension of not more than 12 months, on behalf of the University, for approximately 9,184 net square feet of space comprising 16 classrooms and ancillary space at 620 Isham Street (aka 108 Cooper Street), New York, New York. The lease shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The University is currently on a short-term lease agreement for the space at 620 Isham Street (aka 108 Cooper Street) in the Washington Heights section of Manhattan. The current lease will expire on June 30, 2010.

At this conveniently-located site, known as "CUNY in the Heights", the University offers general educational programs to the residents of northern Manhattan. The programs at this location are under the joint administration of Hostos Community College and Borough of Manhattan Community College. The lease extension will extend the University's occupancy through June 30, 2011.

The current annual rent is \$275,520.00 (\$30/SF). The rent for the extension term will be at a cost not to exceed \$293,888.00 (\$32/SF). Landlord will maintain the exterior and structure of the premises and provide heat and electricity.

**E. THE CITY UNIVERSITY OF NEW YORK - LEASE RENEWAL AT ONE METROTECH CENTER, BROOKLYN, NEW YORK, ON BEHALF OF MEDGAR EVERS COLLEGE:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a 16-month lease renewal agreement for approximately 25,000 rentable square feet of office space at One MetroTech Center, Brooklyn, New York, on behalf of Medgar Evers College. The lease shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The University currently leases approximately 25,000/SF of office space, on behalf of Medgar Evers College, at One MetroTech Center in Brooklyn, pursuant to a ten-year lease that will terminate on April 30, 2010. The current annual base rent is \$900,000 (\$36.00/SF). The space is currently used by administrative units of the College. The University is evaluating the long-term use of this rental site and the potential for relocating certain functions from this facility back to the College when space becomes available on campus. In the interim, the University is seeking a short-term extension of this lease until August 31, 2011. The base rent under the short-term extension will be at a cost not to exceed \$925,000 (\$37.00/SF). All other terms and conditions will remain the same. The landlord will continue to provide cleaning and HVAC, and the University will be responsible for routine interior repairs.

**F. THE CITY UNIVERSITY OF NEW YORK - LEASE AT 50 WEST 40TH STREET, NEW YORK, NEW YORK, ON BEHALF OF THE NEW CUNY COMMUNITY COLLEGE:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a new ten-year lease, for approximately 92,000 rentable square feet of space, at 50 West 40th Street, New York, New York, on behalf of the new CUNY Community College. The lease shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The proposed new leased site at 50 West 40th Street will house the new community college for an interim period of up to ten-years, until their permanent home, at the present site of John Jay College, North Hall, is ready. The facility at 50 West 40th Street is the former home of the Katherine Gibbs School. The entire building is approximately 92,000 rentable square feet of space and is already built-out for classrooms, offices, and support space. It is anticipated that very little renovation will be needed to the facility to accommodate the University's needs.

The main terms of the proposed lease are as follows:

Term:	Ten years to start upon completion of landlord's work
Area:	Up to 92,000/RSF of space constituting the entire building
Annual Base Rent:	\$4,200,000 (\$45.66/SF) for the first five years \$4,400,000 (\$48.18/SF) for the second five years
Operating Escalation:	2% per annum.

The Landlord will renovate the space to the University's specifications. The Landlord will be responsible for exterior, structural, and roof repairs. The University will be responsible for cleaning and maintenance of the building's systems.

The University will have the option of using the space for other CUNY colleges as well as the new community college.

**G. THE CITY UNIVERSITY OF NEW YORK - LEASE AT 132 WEST 31ST STREET, NEW YORK, NEW YORK, 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 76,000 rentable square feet of space, at 132 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 the General Counsel.

EXPLANATION: The proposed new leased site at 132 West 31st Street will house the CUNY School of Professional Studies (SPS), which currently operates out of facilities scattered across Manhattan. The new site will allow SPS to operate out of one centrally-located facility that will provide adequate space for all of 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 76,000/RSF of space on three contiguous floors

Annual Base Rent:

First Five-Year Period: Not to exceed: \$2,584,000 (\$34.00/RSF) per annum.

Second Five-Year Period: Not to exceed: \$2,736,000 (\$36.00/RSF) per annum.

Third Five-Year Period: Not to exceed: \$3,116,000 (\$41.00/RSF) per annum.

Expansion Rights: The University will have the Right of First Offer at its then-escalated rent on an additional 80,000/RSF of space on three other floors and part of the Ground Floor.

In lieu of operating escalations, the base rent will escalate at 2.5% per annum. The Landlord will construct the space to the College's specifications and contribute up to \$50/RSF to the work cost. Any construction cost over the Landlord contribution will be amortized over the life of the lease and paid back as additional base rent. 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.

**H. THE CITY UNIVERSITY OF NEW YORK - PURCHASE OF A VACANT PARCEL AT 3069 VILLA AVENUE, THE BRONX, ON BEHALF OF LEHMAN COLLEGE:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a contract of sale to acquire a parcel of vacant land located at 3069 Villa Avenue in The Bronx on behalf of Lehman College. The contract of sale shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: Lehman College's School of Nursing is currently located in the T3 Building, a structure that is scheduled to be demolished to allow for the construction of the future Phase II science facility. The University first made a thorough evaluation of various on-campus relocation options for the School, and found no adequate space available in other College buildings, nor sufficient open space on campus for a temporary structure. The University then undertook a long site search to find a suitable off-campus location.

After evaluating a number of privately-owned sites, some with commercial structures and some vacant parcels of land, the University determined that the most advantageous solution would be to acquire a vacant parcel of land located near the campus, at 3069 Villa Avenue, for a price of \$2,750,000, and construct a modular building there to house the School of Nursing. The subject property is a 12,500 square foot rectangular parcel owned by the Catholic Archdiocese of New York use as a parking lot by St. Philip's Parish.

At some point after the acquisition of the site, the University plans to construct a modular facility of approximately 20,000 gross square feet on the property to house the School of Nursing. Long-term plans presently envision the School of Nursing being returned to the campus as part of the Davis Hall and Davis Addition Center for Professional

Programs. At that time, the modular building on the Villa Avenue site would be reused for other academic programs of the College.

**I. (ADDED ITEM) THE CITY UNIVERSITY OF NEW YORK - NEW LEASE AT 205 HUDSON STREET, NEW YORK, NEW YORK, ON BEHALF OF HUNTER COLLEGE:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the Senior Vice Chancellor of Legal Affairs to execute a new fifteen-year lease, for approximately 65,000 rentable square feet of space, at 205 Hudson Street, New York, New York, on behalf of Hunter College. The lease shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The proposed new leased site at 205 Hudson Street will house the Hunter College Masters in Fine Arts (MFA) Program. The MFA Program is currently housed at a University-owned facility located at 450 West 41st Street. This facility is in a state of serious disrepair and the cost of rehabilitation would be prohibitively expensive. Instead, the University will relocate the MFA Program to a new leased site and consider its options with regard to the disposition of the 450 West 41st Street facility.

The new leased site is conveniently located to public transit and would provide the MFA Program with studios, classrooms, offices, and gallery space.

The main terms of the proposed lease are as follows:

Term: Fifteen years to start upon completion of landlord's work.

Area: Entire 2<sup>nd</sup> and 3<sup>rd</sup> Floors and part of the Ground Floor.

Annual Base Rent:

First Five-Year Period: Not to exceed: \$2,275,000 (\$35.00/RSF) per annum.

Second Five-Year Period: Not to exceed: \$2,535,000 (\$39.00/RSF) per annum.

Third Five-Year Period: Not to exceed: \$2,860,000 (\$44.00/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 College's specifications and contribute up to \$50/RSF to the work cost. Any construction cost over the Landlord contribution will be amortized over the life of the lease and paid back as additional base rent or, at the University's option, paid in a lump sum upon completion of work. 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.

**NO. 7. COMMITTEE ON STUDENT AFFAIRS AND SPECIAL PROGRAMS:** RESOLVED, That the following items be approved:

**A. BARUCH COLLEGE – STUDENT ACTIVITY FEE INCREASE – UNDERGRADUATE STUDENTS:**

RESOLVED, That the student activity fees paid by undergraduate students at Baruch College be increased from \$70.00 to \$95.00 for full-time students and from \$40.00 to \$55.00 for part-time students, effective the Fall 2010 semester, in accordance with the following schedule:

FALL/SPRING

<b>EARMARKING</b>	<b>ALLOCATING BODY</b>	<b>CURRENT FEE (FT/PT)</b>	<b>PROPOSED FEE (FT/PT)</b>
Student Center	College Association	\$22.00/\$11.20	\$25.00/\$13.00
Athletics	College Association	\$11.50/\$06.85	\$16.00/\$08.00
Media [Communications]	College Association	\$03.95/\$02.00	\$07.00/\$02.00
Clubs & Organizations	Student Government	\$07.25/\$03.05	\$12.00/\$06.15
Student Government	Student Government	\$06.40/\$03.00	\$06.15/\$04.00

Programming Board	Student Government	\$00.00/\$00.00	\$07.00/\$05.00
Child Care Center	College Association	\$09.25/\$04.25	\$09.00/\$04.00
Health Care Center	College Association	\$08.80/\$08.80	\$12.00/\$12.00
University Student Senate	USS	<u>\$00.85/\$00.85</u>	<u>\$00.85/\$00.85</u>
<b>Total Student Activity Fees</b>		<b>\$70.00/\$40.00</b>	<b>\$95.00/\$55.00</b>

and be it further RESOLVED, That the summer session student activity fee paid by undergraduate students be increased from \$37.00 to \$49.85, effective Summer 2011 in accordance with the following schedule:

#### SUMMER

<b>EARMARKING</b>	<b>ALLOCATING BODY</b>	<b>CURRENT FEE</b>	<b>PROPOSED FEE</b>
Student Center	College Association	\$11.00	\$12.00
Athletics	College Association	\$06.70	\$06.50
Media [Communications]	College Association	\$01.00	\$02.00
Clubs & Organizations	Student Government	\$01.50	\$05.00
Student Government	Student Government	\$03.00	\$03.50
Programming Board	Student Government	\$00.00	\$04.00
Child Care Center	College Association	\$04.15	\$04.00
Health Care Center	College Association	\$08.80	\$12.00
University Student Senate	USS	<u>\$00.85</u>	<u>\$00.85</u>
<b>Total Summer Student Activity Fees</b>		<b>\$37.00</b>	<b>\$49.85</b>

EXPLANATION: The proposed student activity schedule represents an increase of \$25.00 in the full-time, \$15.00 in the part-time, and \$12.85 in the summer session student activity fees paid by undergraduate students. The increases are designed to keep pace with inflation and to re-earmark funds based on the needs of the students.

A referendum was held in accordance with Board Bylaw section 16.12 in conjunction with student government elections held April 12-15, 2010. The vote on the referendum was 618 in favor and 399 opposed, with 8% of the eligible students voting on the referendum. The College President supports the increases.

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

#### **B. BARUCH COLLEGE – STUDENT ACTIVITY FEE INCREASE – GRADUATE STUDENTS:**

RESOLVED, That the student activity fee paid by graduate students at Baruch College be increased from \$29.00 to \$39.00 per semester, effective the Fall 2010 semester, in accordance with the following schedule:

<b>EARMARKING</b>	<b>ALLOCATING BODY</b>	<b>CURRENT FEE</b>	<b>PROPOSED FEE</b>
Student Center	College Association	\$07.50	\$09.50
Communications	College Association	\$02.50	\$00.00
Student Government	Student Government	\$08.15	\$12.15
Clubs & Organizations	Student Government	\$00.00	\$05.00
Health Care Center	College Association	\$10.00	\$11.50
USS	USS	<u>\$00.85</u>	<u>\$00.85</u>
<b>Total Student Activity Fee</b>		<b>\$29.00</b>	<b>\$39.00</b>

The summer Session Student Activity Fee paid by Graduate Students shall remain at \$13.85 in accordance with the following schedule: \$13.00 allocated by the College Association with \$3.00 earmarked for the Student Center and \$10.00 earmarked for the Health Center and \$0.85 allocated by the University Student Senate.



**EXPLANATION:** The student activity fee schedule represents an increase of \$10.00 in the student activity fee paid by graduate students at Baruch College. The increase includes \$2.00 for the Student Center, \$4.00 for Student Government, \$1.50 for the Health Center, a new \$5.00 earmarking for Clubs and Organizations and the elimination of a \$2.50 earmarking for Communications. The student activity fee was last increased in 2001.

A student activity fee referendum was held in accordance with University Bylaw section 16.12, in conjunction with student government elections held April 12-15, 2010. The vote on the referendum was 197 in favor and 51 opposed, with 7% of the eligible students voting. The College President supports the fee increase.

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

### C. LEHMAN COLLEGE – STUDENT ACTIVITY FEE INCREASE:

RESOLVED, That the student activity fee paid by all Lehman College students increase from \$55.00 to \$74.00 for full-time students and from \$35.00 to \$54.00 for part-time students, effective Fall 2010 in accordance with the following schedule:

<b>EARMARKED ALLOCATING BODY</b>	<b>CURRENT FEE FT/PT</b>	<b>PROPOSED FEE FT/PT</b>
College Association	\$54.15/\$34.15	\$73.15/\$53.15
University Student Senate	<u>\$00.85/\$00.85</u>	<u>\$00.85/\$00.85</u>
<b>Total Student Activity Fee</b>	<b>\$55.00/\$35.00</b>	<b>\$74.00/\$54.00</b>

And be it further RESOLVED, That the summer session student activity fee increase from \$30.00 to \$37.50, effective Summer 2011, in accordance with the following schedule:

<b>EARMARKED ALLOCATING BODY</b>	<b>CURRENT FEE</b>	<b>PROPOSED FEE</b>
College Association	\$29.15	\$36.65
University Student Senate	<u>\$00.85</u>	<u>\$00.85</u>
<b>Total Student Activity Fee</b>	<b>\$30.00</b>	<b>\$37.50</b>

**EXPLANATION:** The proposed student activity schedule represents an increase of \$19.00 in the student activity fee paid by all students in the fall and spring semesters and an increase of \$7.50 in the summer session student activity fee. This increase is designed to keep pace with inflation and to establish specific earmarkings. This is the first increase since 1991.

Two referenda were held in accordance with Board Bylaw section 16.12 in conjunction with student government elections held April 27-29, 2010. The vote on the comprehensive referendum, which sought an increase of \$19.00 for the fall and spring semesters and \$7.50 for the summer session was 501 in favor and 201 opposed, with 5.7% of the eligible students voting. This referendum included increases to the Student Health Center and new earmarkings for student government, the Club Board, the Academic Center for Excellence and the Science Learning Center. The vote on the student health fee referendum (which is also incorporated in the comprehensive referendum) sought an increase of \$5.00 in the earmarking for the Student Health Center. The vote on that referendum was 401 in favor and 233 opposed, with 4.9% of the eligible students voting. The College President supports the comprehensive fee increase and opposes the \$5.00 student health center referendum since the identical fee is incorporated in the comprehensive referendum.

Within the \$73.15/\$53.15 fee allocated by the College Association, the following earmarkings will exist: \$15.00 for the Student Health Center (including an increase of \$5.00); and new earmarkings of \$3.58 for CASA (Student Government), \$3.00 for the Club Board, \$0.21 for the Academic Center for Excellence and \$0.21 for the Science Learning Center, with the remaining fee unearmarked. Within the \$36.65 summer session fee allocated by the

College Association, the following earmarkings will exist: \$5.00 for the Student Health Center and new earmarkings of \$3.50 for CASA (Student Government), \$0.50 for the Academic Center for Excellence, and \$0.50 for the Science Learning Center.

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

**D. BROOKLYN COLLEGE – STUDENT ACTIVITY FEE INCREASE, COLLEGE OF LIBERAL ARTS AND SCIENCES (DAY SESSION):**

RESOLVED, That the student activity fees paid by Undergraduate College of Liberal Arts and Sciences (CLAS) students at Brooklyn College be increased by \$1.50 for the Fall and Spring semesters and by \$1.50 for Summer Session(s) effective the Fall 2010 semester, in accordance with the following student activity fee schedules:

(1) College of Liberal Arts and Sciences (Day Session) Fall and Spring:

<b>EARMARKED ALLOCATING BODY</b>	<b>CURRENT FEE</b>	<b>PROPOSED FEE</b>
Student Government	\$ 08.50	\$ 08.50
Student Services Corp.	\$ 32.50	\$ 32.50
College Association	\$ 59.70	\$ 61.20
College Assn./Student Govt.	\$ 04.00	\$ 04.00
NYPIRG	\$ 05.00	\$ 05.00
University Student Senate	<u>\$ 00.85</u>	<u>\$ 00.85</u>
<b>Total Student Activity Fee</b>	<b>\$110.55</b>	<b>\$112.05</b>

Within the \$8.50 Student Government fee, the following local earmarkings exist: \$0.20 for the Riverrun Journal, \$0.50 for the Broeklundian Yearbook, \$0.50 for the Student Film Society, \$0.25 for Hatikvah, and \$0.25 for On Campus, with the remaining \$6.80 going to Student Government, clubs, and other activities. Within the \$61.20 College Association fee, the following local earmarkings will exist: \$18.60 for Athletics and Recreation, \$5.00 for the Career Service Center, \$2.00 for the Emergency Medical Service, \$1.00 for Student Concerts, \$1.00 for the Radio Station, \$3.50 for the Academic Club Association, \$0.20 for the Drop-in Center, \$1.00 for SOFEDUP (disabled students), \$2.40 for the Student Forensics Society, \$20.00 for the Health Care Clinic, \$5.00 for Child Care and \$1.50 for the Study Abroad Scholarship Association. Four dollars (\$4.00) of the student activity fee is jointly allocated by the College Association and the Student Government, with \$2.50 locally earmarked for student newspapers and \$1.50 to the Lay Advocate Program. Both the Student Government and the College Association must approve the budgets for the student newspapers and the Lay Advocate Program.

(2) College of Liberal Arts & Sciences (Day Session) Summer Sessions:

<b>EARMARKED ALLOCATING BODY</b>	<b>CURRENT FEE</b>	<b>PROPOSED FEE</b>
Student Government	\$02.50	\$02.50
Student Services Corp.	\$32.50	\$32.50
College Association	\$36.00	\$37.50
NYPIRG	\$05.00	\$05.00
University Student Senate	<u>\$00.85</u>	<u>\$00.85</u>
<b>Total Student Activity Fee</b>	<b>\$76.85</b>	<b>\$78.35</b>

Within the \$37.50 Undergraduate Summer Session College Association fee, the following local earmarkings will exist: \$10.00 for Athletics, \$1.00 for the Emergency Medical Service, \$20.00 for the Health Care Clinic, \$5.00 for Child Care and \$1.50 for the Study Abroad Scholarship Association.

**EXPLANATION:** This student activity fee schedules represent an increase of \$1.50 for CLAS students during the Fall and Spring semesters and Summer Sessions, which will be allocated by the College Association and locally earmarked to the Study Abroad Scholarship Association.

A referendum was held in conjunction with student government elections held April 26-28, 2010 to establish an earmarking of \$1.50 for the Study Abroad Scholarship Association to assist students interested in studying abroad. The vote on the referendum was 730 in favor and 708 opposed, with 14% of the eligible students voting. The College President supports the increase.

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

The governing board of the Student Services Corporation, which allocates the earmarked fee for the Student Center, has the following voting composition: 7 Administrators and 6 Students, with the College President as Chair.

#### **E. YORK COLLEGE – STUDENT ACTIVITY FEE INCREASE:**

RESOLVED, That the student activity fee paid by all students at York College increase from \$40.85 to \$68.00 for full-time students and from \$20.85 to \$48.00 for part-time students, effective Fall 2010, in accordance with the following schedule:

<b>EARMARKED ALLOCATING BODY</b>	<b>CURRENT FEE FT/PT</b>	<b>PROPOSED FEE FT/PT</b>
College Association	\$40.00/\$20.00	\$67.15/\$47.15
University Student Senate	<u>\$00.85/\$00.85</u>	<u>\$00.85/\$00.85</u>
<b>Total Student Activity Fee</b>	<b>\$40.85/\$20.85</b>	<b>\$68.00/\$48.00</b>

The summer session fee will continue to be \$10.85, of which \$10.00 will be allocated by the College Association and \$0.85 by the University Student Senate.

**EXPLANATION:** The student activity schedule represents an increase of \$27.15 in the full-time and part-time student activity fee schedules. The increases will fund local earmarkings for student clubs, athletics, the Association Performing Arts Fund, the radio station, the game room, the York College Child and Family Center, recruitment and mobilization, and the Study Away/Study Abroad Program and will be allocated by the College Association.

A referendum was held in accordance with University Bylaw section 16.12 in conjunction with student government elections held April 21-April 30, 2010. The vote on the referendum was 186 in favor and 173 opposed, with 5.3% of the eligible students voting. The College President supports the fee increase, which is the first increase since 1989.

Within the College Association fee of \$67.15/\$47.15 the following local earmarkings will exist for full-time and part-time students: Athletics (\$21.00/\$14.00), Recruitment and Mobilization (\$3.00/\$1.00), Association Performing Arts Fund (\$3.00/\$2.00), York College Radio Station (\$3.00/\$3.00), Study Away/Study Abroad (\$4.00/\$4.00) and Student Government (\$5.00/\$5.00 of which \$3.00 will be earmarked for student government operations and \$2.00 for student clubs). The unearmarked portion of the fee will be allocated by the College Association.

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

**F. THE CITY UNIVERSITY OF NEW YORK – POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS:**

RESOLVED, That the CUNY Board of Trustees approves the Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and Intimate Partner Violence against Students, effective July 1, 2010.

**POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING  
AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS**

**I. POLICY STATEMENT**

The City University of New York seeks to create and maintain a safe environment in which all members of the University community—students, faculty and staff—can learn and work free from the fear of sexual assault and other forms of violence. The University's policies on Workplace Violence and Domestic Violence and the Workplace apply to all acts of violence that occur in the workplace or that may spill over into the workplace. The University's Sexual Harassment Policy prohibits many forms of unwelcome conduct, including but not limited to, physical conduct of a sexual nature. This policy is specifically directed towards sexual assault, domestic and intimate partner violence and stalking committed against students on and off-campus.

CUNY wants all victims of sexual assault, stalking and domestic and intimate partner violence to know that the University has professionals and law enforcement officers who are trained in the field to assist student victims in obtaining help, including immediate medical care, counseling and other essential services. If the alleged perpetrator is also a member of the CUNY community, the college will take prompt action to investigate, and, where appropriate, to discipline and sanction the alleged perpetrator. CUNY urges all victims to seek immediate help in accordance with the guidelines set forth in this policy with the assurance that all information received from a complaint will be handled as confidentially as possible.

In order to eliminate sexual assaults and other forms of violence perpetrated against students, and to create a safe college community, it is critical to provide an appropriate prevention education program and have trained professionals to provide vital supportive services.

Accordingly, CUNY is committed to the following goals:

- Providing clear and concise guidelines for students to follow in the event that they or someone they know have been the victim of a sexual assault, domestic/intimate partner violence, or stalking.
- Assisting victims of sexual assault or abuse in obtaining necessary medical care and counseling, whether on or off-campus.
- Providing the most informed and up-to-date education and information to its students about how to identify situations that involve sexual assault, domestic and intimate partner violence, or stalking, and ways to prevent these forms of violence.
- Educating and training all staff members, including counselors, public safety officers and student affairs staff and faculty, to assist victims of sexual assault, domestic/intimate partner violence, or stalking.
- Ensuring that disciplinary procedures are followed in the event that the alleged perpetrator is a CUNY student or employee.

**II. PROCEDURES FOR REPORTING INCIDENTS OF SEXUAL ASSAULT AND OTHER FORMS OF VIOLENCE**

Obtaining assistance after a student is sexually assaulted, stalked or is in an abusive relationship is extremely important and can involve different points of on-campus contact for students, faculty and staff, including the Public

Safety Department, Women's/Men's Centers and Counseling Departments, and/or the Dean of Student Development/Student Affairs. Each provides different forms of assistance which together address many of the needs of survivors.

- Contact Law Enforcement Personnel Immediately

CUNY urges any student who has been the victim of a sexual assault or other act of violence or abuse, or any student or employee who has witnessed a sexual assault or other act of violence against a student, to immediately report the incident to the college Public Safety Department if the attack occurred on-campus, or to call 911 or go to the local NYPD precinct if the incident took place off-campus. Each college shall be provided with a list of emergency contact numbers as part of its orientation and training programs.

- Seek Immediate Medical Attention

It is critical that victims of a physical assault receive comprehensive medical attention as soon as possible. For a sexual assault in particular, immediate treatment and the preservation of evidence of the attack (i.e. retain the clothing worn during the attack and do not shower) is crucial to a criminal investigation. If a student believes that she/he may be the victim of date rape by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person's system for a short period of time. In all other circumstances, public safety and police personnel can assist the victim in obtaining medical care. Each college shall be provided with a list of local hospitals, some of which are designated as SAFE (Sexual Assault Forensic Examiner) hospitals that are specially equipped to handle sexual assaults and are trained to gather minute evidence from such assaults. Rape crisis advocates at emergency rooms are also trained to handle domestic violence. EMS will be directed to bring victims to a SAFE hospital at their request. Medical attention is critical not only to treat internal and external injuries and to combat the possibilities of sexually transmitted infections and/or pregnancy, but also to collect evidence that can be used against the alleged perpetrator. It is also vital to ongoing safety and recovery that victims receive emotional support and professional counseling as soon as possible after the attack.

- Seek On-Campus Assistance

CUNY encourages student victims to contact the Dean of Student Affairs/Student Development to obtain assistance in accessing medical and counseling services, or to make any necessary changes to the student's academic program or residential housing situation. Public Safety can assist victims getting to and from campus safely, filing a police report and obtaining an order of protection against the alleged perpetrator. Victims can also file a complaint with the College against an alleged perpetrator who is a student or employee of the University with the Dean of Student Affairs/Student Development and the Public Safety Office.

- Obtaining an On-Campus Advocate

Student victims of a sexual assault, stalking or domestic or intimate partner violence shall be provided with on-campus support in the form of an advocate from the Women's/Men's Center (if there is one on campus) or an appropriately trained counselor to assist them in handling the various aspects of their ordeal, such as: 1) explaining to victims their options of whether or not to report the incident to campus or law enforcement authorities; 2) providing guidance if they require medical attention; 3) providing guidance in obtaining crisis intervention and/or ongoing counseling services (or a referral to obtain the necessary services if such services are not available on campus); and 4) assisting victims throughout the College's disciplinary process if they choose to file a complaint against another student in connection with the incident.

- Handling Sexual Assault, Stalking and Domestic and Intimate Partner Violence Complaints On-Campus

The Colleges shall act promptly in response to information that a student has been sexually assaulted, or has been the victim of domestic or intimate partner violence or stalking by another member of the CUNY community. Upon receipt of a complaint, the College shall undertake an appropriate investigation. If it appears that there is sufficient evidence to warrant disciplinary charges against a student or staff member, such charges shall be brought pursuant

to the appropriate University procedures or collective bargaining agreement. If the alleged perpetrator is a student and the matter is brought before a hearing, the victim and alleged perpetrator are entitled to the same opportunities to have others present and to be informed of the outcome of the proceedings. The victim is entitled to a report of the results of the proceeding at her/his request. If a student is found guilty of committing a sexual assault or other act of violence against another CUNY student or employee after a disciplinary hearing, the penalties may include suspension, expulsion from residence halls, or permanent dismissal from CUNY.

In addition, if during the course of the investigation and/or disciplinary process the alleged perpetrator, or anyone on his/her behalf, seeks to contact the victim so as to harass, intimidate, threaten or coerce the victim in any way, the College reserves the right to bring additional disciplinary action against the actor. Such conduct by any member of the CUNY community will not be tolerated.

- Confidentiality

The University recognizes that confidentiality is particularly important to victims of sex crimes, domestic and intimate partner violence and stalking. If the victim seeks counseling with a licensed professional and/or works with an advocate from the campus, those communications will be confidential. CUNY encourages victims in all circumstances to seek counseling in order to speak about her/his options and to begin the recovery period.

While complete confidentiality cannot be guaranteed, every effort will be made to maintain confidentiality on a “need to know” basis. Generally, the wishes of a victim not to report a sexual assault or incident of domestic/intimate partner violence or stalking to the police will prevail, though the College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. Such notification, however, will generally be done without divulging the victim’s identity and for the purpose of providing a campus-wide safety alert. In addition, the College must adhere to legal mandates such as Title IX, medical reporting laws, and the Campus Security Act. For example, CUNY is required to make an annual report documenting the occurrences of violent crimes on campus, including sexual assault. However, this report does not include any information identifying the individuals (including the victims) linked to these crimes.

### **III. IMPLEMENTATION OF THE POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT AND OTHER FORMS OF VIOLENCE AGAINST STUDENTS**

The President and Vice President for Student Affairs/Student Development of each college shall be responsible for implementing this policy in accordance with the most up-to-date information and resources pertaining to sexual assault, stalking and domestic/intimate partner violence education and prevention, and victim assistance. The following steps must be taken to implement this policy:

1. Publication: A copy of this policy shall be easily accessible on the CUNY website and on the website administered by each College. A summary shall also be incorporated into every College student handbook. In addition, copies of the policy and procedures shall be made available in student centers, residence halls, student affairs/student development offices, women’s/men’s centers, counseling centers, health clinics and public safety departments, and shall be distributed to all new students during orientations.

2. Prevention/Risk Reduction Education: Each College shall develop materials and programs to educate its students, faculty and staff on the nature, dynamics, common circumstances and effects of sexual assault, domestic/intimate partner violence and stalking, and the means to reduce their occurrence and prevent them. Prevention education should provide up-to-date and relevant information, such as education pertaining to bystander intervention, the importance of peer networks and the significance of fostering a community of responsibility.

Prevention education materials and programs shall be incorporated into campus orientation activities for all incoming undergraduate and graduate students (including transfers), and shall be made available to all student activity groups, clubs and athletic teams. In addition, all residence halls shall have a mandatory orientation on sexual assault, stalking and domestic/intimate partner violence prevention. Colleges are encouraged to assist in the organization of peer education groups and to provide resources to such groups so that the groups can provide training and outreach to other students throughout the academic year. Since the abuse of alcohol is frequently involved in occurrences of

sexual assault and other forms of violence, it is important that the education program include education about the deleterious effects of alcohol abuse.

3. **Professional Training:** Each College shall provide periodic training relating to the prevention and handling of sexual assaults, stalking and domestic/intimate partner violence for all relevant personnel, including public safety officers, counselors, student affairs staff and residence hall assistants by experts trained in the field. Education and training shall also be made available to any interested faculty and staff member. Each campus must have at least one qualified staff or faculty member serve as a designated liaison and trainer.

4. **Oversight by CUNY Central Administration:** The University Vice Chancellor for Student Affairs shall monitor compliance with this policy at all of the campuses, shall review the policies and procedures on an annual basis, and shall make recommendations in the event that updates to prevention and education information are necessitated. In addition, the Office of the Vice Chancellor for Student Affairs shall provide educational materials that may be needed to ensure full implementation of this policy on every campus. Liaisons will be identified from each campus who will receive standardized training in order to fulfill their responsibilities on their campuses. The policies, procedures and outreach materials and programs will be subject to a periodic process of assessment in order to maintain efficacy.

**EXPLANATION:** A CUNY-wide Sexual Assault Task Force comprised of CUNY students, faculty members, counselors, administrative staff and attorneys was charged with the responsibility to formulate a policy to address the prevention of sexual assaults, stalking and domestic violence against its students, and to establish a uniform protocol for handling cases in which CUNY students have been the victims of sexual assaults or other acts of violence, on or off campus. New York State Education Law requires colleges to adopt such a policy.

The Policy creates a comprehensive plan for handling sexual assaults and other acts of violence on our campuses in the event that a student is victimized. It also requires each CUNY campus to educate students concerning ways to reduce the occurrence of sexual assaults, stalking and domestic violence.

Further, the Policy requires that peace officers, counselors, student affairs administrators, and other relevant CUNY staff members obtain periodic training so as to provide the most effective education, outreach, and counseling to CUNY students. CUNY's Vice Chancellor for Student Affairs will monitor compliance with the Policy and Procedures at all of the campuses and will review its implementation on an annual basis.

**NO. 8. 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:

<b>COLLEGE</b>	<b>DEGREE</b>
<b>MEDGAR EVERS COLLEGE</b>	
Kenneth Barron	Doctor of Fine Arts
Hazel J. Harper	Doctor of Humane Letters
(To be conferred at the annual convocation on September 14, 2010)	

**NO. 9. EXECUTIVE COMMITTEE:** Notice of Action Taken (March 17, 2010), for informational purposes:

**A. THE CITY UNIVERSITY OF NEW YORK - GRADUATE SCHOOL AND UNIVERSITY CENTER RESIDENCE HALL:**

RESOLVED, That the Board of Trustees of The City University of New York agrees to provide credit support for a proposed facility to be located on East 118<sup>th</sup> Street between Lexington and Third Avenues, immediately adjacent to a new campus for CUNY's Hunter College School of Social Work, offering housing primarily for graduate students and faculty of the CUNY Graduate Center (the "Project") 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 Board of Trustees authorized the General Counsel and Senior Vice Chancellor for Legal Affairs to negotiate, approve as to form, and execute agreements related to the construction, leasing, and management of the Project (approved by resolution adopted September 29, 2009, Cal. No. 5.M.).

The deal structure has changed since the prior resolution in the following way: The original resolution provided for a master lease structure, whereas now CUNY is providing credit support in the form of the Guarantees. It is anticipated that lease payments by graduate students and faculty will cover the cost of servicing the bonds and operating the facility. If they are insufficient, the Graduate Center Foundation Housing Corporation and then the Graduate Center Foundation will be liable to cover any shortfall. Only in the event that all of these sources of funds are insufficient will CUNY be liable under the Guarantees.