

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

**REVISED  
CALENDAR**

**NOVEMBER 22, 2010**

**NO. 1. CHANCELLOR'S UNIVERSITY REPORT:** RESOLVED, That the Chancellor's University Report for November 22, 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 September 27, 2010 be approved.

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

**A. THE CITY UNIVERSITY OF NEW YORK – MEMORANDUM OF UNDERSTANDING WITH STATE UNIVERSITY OF NEW YORK, NYLINK:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a memorandum of understanding (MOU) on behalf of The City University of New York and the State University of New York (SUNY), NYLINK. NYLINK is a nonprofit membership organization of all types of libraries and cultural heritage organizations throughout New York State and surrounding areas. The MOU shall be awarded as an intergovernmental agreement pursuant to University regulations and applicable law for a term of one year. The total amount of the services shall not exceed \$1,600,000 for the term, chargeable to FAS Code 204301400 and the appropriate colleges' FAS Codes. The MOU shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: This MOU formalizes and extends CUNY's on-going relationship with NYLINK to receive critical library services for 20 CUNY college libraries and the CUNY Central Office, including Internet-based on-line cataloging, collection management and authorities services and participation in LAND, a statewide ground delivery service. The state-of-the-art services received enable CUNY's libraries to function more efficiently and collaborate more effectively across CUNY, as well as within the broader academic community.

**B. THE CITY UNIVERSITY OF NEW YORK – REVISED TUITION SCHEDULE FOR THE MASTER OF SOCIAL WORK PROGRAMS:**

RESOLVED, That The City University of New York adopt a revised schedule of tuition charges for students in the Master of Social Work Programs within CUNY effective with the Spring 2011 semester and as detailed below:

**Revised Tuition Schedule for the Masters in Social Work Programs**

Current Rates:

Effective Spring 2011 Semester:

Resident

Full-time - \$4,370 per semester  
Part-time - \$365 per credit

Resident

Full-time - \$4,870 per semester  
Part-time - \$415 per credit

Non-Resident

Full-Time - \$615 per credit

Part-time - \$615 per credit

Non-Resident

Full-time - \$650 per credit

Part-time - \$650 per credit

**EXPLANATION:** The proposed tuition increase of \$500 per semester for full-time and \$50 per credit for part-time resident students, and \$35 per credit for full and part-time non-resident students is necessary to strengthen the services to students and academic faculty in the Master of Social Work Programs. The increased tuition revenue will be used solely for the support of the Master of Social Work Programs including increased staffing in key areas throughout the programs. New appointments and positions will be created in various student support offices, which may include Student Affairs, Student Admissions, Academic Affairs, Field Education, as well as in the Dean's offices. This increase in funding will be used to improve not only the quality of the educational programs but also the level of student support services. The New York State Education Law Sec. 6206 allows The City University of New York to charge differential tuition rates as long as there is no differential among like degree programs. The Colleges will continue to provide financial aid funding to assist eligible New York State residents to afford the increase in tuition.

**C. THE CITY UNIVERSITY OF NEW YORK – REVISED TUITION AND FEES SCHEDULE, EFFECTIVE SPRING 2011:**

RESOLVED, That effective Spring 2011 the Board of Trustees of The City University of New York adopt a revised schedule of student tuition and fees that includes a 5% increase over current rates for all tuition categories as set forth on the attached schedule. On a per semester basis, these include the following increases: \$115 for full-time undergraduate resident students at senior colleges, \$75 for full-time undergraduate resident students at community colleges, \$185 for full-time masters resident students, \$165 for full-time doctoral resident students, \$255 for full-time law school resident students and a 5% increase of per-credit rates; and be it further

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

**EXPLANATION:** The FY2010-11 Budget Request approved by the Board of Trustees included a 2% tuition increase for fall 2010, which was not implemented. Since the beginning of the fiscal year, the budget conditions of both the State and City have worsened, leading to a proposed current year reduction to the community colleges by the City of \$13.0 million and an anticipated State mid year reduction to the senior colleges. The proposed City reduction annualizes to \$16.3 million in FY2012. The senior colleges have sustained \$205 million in cuts since FY2009, including \$84.4 million in the current year. In addition to the City reduction, the community colleges experienced a \$285 per FTE State aid reduction, which totals approximately \$20 million, in the current year. This tuition increase will help offset these reductions as well as give the colleges the ability to maintain instructional and support services to students.

**Proposed Tuition and Fee Schedule Spring 2011**

**Senior Colleges****Undergraduate**

	<b>Resident Students</b>	<b>Non-resident Students</b>
Full-time	\$2,415 per Semester	\$435 per Credit
Part-time	\$205 per Credit	\$435 per Credit
Non-Degree	\$300 per Credit	\$640 per Credit

**Masters Students including the Graduate School**

Full-time	\$3,865 per Semester	\$605 per Credit
Part-time	\$325 per Credit	\$605 per Credit
Maintenance of Matriculation	\$160 per Semester	\$265 per Semester

**Other Masters Programs**

Baruch	Masters in Business Administration		
	Full-time	\$5,675 per Semester	\$770 per Credit
	Part-time	\$515 per Credit	\$770 per Credit
City	Masters in Architecture		
	Masters in Engineering		
	Full-time	\$4,530 per Semester	\$670 per Credit
	Part-time	\$380 per Credit	\$670 per Credit
Hunter Lehman	Masters in Social Work		
	Full-time	\$5,110 per Semester	\$685 per Credit
	Part-time	\$435 per Credit	\$685 per Credit
Hunter CSI	Masters in Physical Therapy		
	Full-time	\$4,225 per Semester	\$630 per Credit
	Part-time	\$345 per Credit	\$630 per Credit

**Doctoral Students**

Level I Full-time	\$3,455 per Semester	\$675 per Credit
Level I (per credit)	\$390 per Credit	\$675 per Credit
Level II	\$2,165 per Semester	\$4,810 per Semester
Level III	\$855 per Semester	\$1,715 per Semester

**Law School**

Full-time	\$5,375 per Semester	\$8,935 per Semester
Part-time	\$445 per Credit	\$750 per Credit

FOOTNOTE: The above schedule reflects a 5% increase to current tuition rates.

**Proposed Tuition and Fee Schedule Spring 2011****Community Colleges**

<b>Undergraduate</b>	<b>Resident Students</b>	<b>Non-resident Students</b>
Full-time	\$1,650 per Semester	\$220 per Credit
Part-time	\$140 per Credit	\$220 per Credit
Non-Degree	\$190 per Credit	\$295 per Credit

FOOTNOTE: The above schedule reflects a 5% increase to current tuition rates.

**D. THE CITY UNIVERSITY OF NEW YORK - FY 2011-2012 UNIVERSITY BUDGET REQUEST:**

RESOLVED, That subject to the availability of resources, CUNY seeks a total of \$2.760 billion for the University. This total includes additional funding of \$95.2 million for baseline needs and \$63.1 million for programmatic increases. At the senior colleges, the total request is \$2.014 billion, a \$113.3 million increase over the 2010-2011 adjusted level. Of this amount, \$78.2 million is for baseline needs and \$35.1 million is for programmatic increases. At the community

colleges the overall request is \$746.4 million, a \$45.0 million increase over the 2010-2011 adjusted level. Of this amount, \$17.0 million is for baseline needs and \$28.0 million is for programmatic increases. This request includes a 2% increase to all tuition rates to fund programmatic needs. The University's current year FY2010-2011 appropriation levels of \$1.860 billion for the senior colleges and \$689.3 million for the community colleges and allocation to the various units of the university thereof reflect, per the authority vested in the Chancellery by the Board of Trustees, all budget adjustments reflected in the FY2010-2011 state enacted appropriation for the university.

**EXPLANATION:** With the 2011-2012 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 a 2% increase in tuition, which amounts to \$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. The University requests 275 positions next year to support its ongoing Cluster Hiring Initiative and to enhance high value programs that are poised for national prominence.
- Faculty renewal requires major investment each year because CUNY's student population continues to grow. CUNY has created hundreds of new faculty positions over the last few years, but still finds itself unable to keep up with the pace of enrollment growth. For the University to make progress toward its goal of building a full-time faculty large enough to teach 70% of instruction, we must increase the pace of faculty hiring.

#### **NURSING / HEALTH PROFESSIONS**

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

#### **THE DECADE OF SCIENCE**

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

#### **STUDENT SERVICES**

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

support for this population. 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.

#### **EDUCATIONAL TECHNOLOGY / CUNYfirst**

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

#### **WORKFORCE DEVELOPMENT**

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

#### **UPGRADING CUNY'S INFRASTRUCTURE**

- Educational quality is directly impacted by the quality of the facilities in which education is provided. Students, faculty, and staff must be supported by a physical, technical, and natural environment that encourages intellectual growth and human interaction. The University two new buildings opening at tow of the colleges 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.

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

#### **A. THE CITY UNIVERSITY OF NEW YORK – RESCISSION OF REQUIREMENT THAT CUNY DEGREE CANDIDATES PASS THE CUNY PROFICIENCY EXAM (CPE):**

RESOLVED, That the requirement that CUNY students must pass the CUNY Proficiency Exam in order to obtain an associate or a baccalaureate degree from CUNY is rescinded for all currently-enrolled students, formerly-enrolled students, and students who enroll in CUNY after the date of this resolution.

EXPLANATION: This resolution rescinds the requirement that all students pursuing an associate or bachelor's degree at CUNY take and pass the CUNY Proficiency Exam ("CPE"). First approved by the CUNY Board of Trustees in 1997 and implemented in 2001, the CPE was designed to certify that students who had accumulated 45 credits were ready for upper division course work.

The Board of Trustees had further charged the Chancellery to evaluate periodically the efficacy and validity of the CPE. In November 2009, the Chancellery convened the CUNY Proficiency Task Force ("Task Force") to conduct that evaluation. The Task Force issued its report in September 2010. It concluded that, although the introduction of the CPE served a valuable purpose at an earlier stage of CUNY's development, recent analysis showed that the CPE was redundant as a certification exam. Specifically, pass rates on the exam are closely correlated with student grade point averages, and an overwhelming proportion of students who meet the prerequisites for taking the exam can pass it. The CPE does not measure learning gains or value added by the University. Further, the CPE does not allow for external benchmarking against student performance at comparable institutions because the exam was designed by CUNY and is administered only within CUNY. Finally, the ongoing cost of the CPE is quite large and has recently

greatly increased, estimated at nearly \$5 million for 2010 and rising. The CPE spurred efforts to ensure that CUNY graduates are proficient in writing and quantitative reasoning, generating significant and now well-established programs aimed at improving student outcomes, such as CUNY's writing across the curriculum initiative. However, the CPE as currently administered no longer provides significant value as an assessment tool.

The Office of Academic Affairs has developed a plan to cease use of the CPE. Should the CPE be discontinued, the Office of Academic Affairs, in consultation with faculty and program managers, will explore alternative means of assessing student learning, including the possibility of instituting a nationally-normed, psychometrically sound examination that measures the value added by a CUNY education.

**B. KINGSBOROUGH COMMUNITY COLLEGE AND BROOKLYN COLLEGE - AS/BS JOINT PROGRAM IN EARTH AND PLANETARY SCIENCE AND GEOLOGY:**

RESOLVED, That the joint programs in Earth and Planetary Science leading to the Associate in Science degree at Kingsborough Community College, and the existing in Geology leading to the Bachelor of Science degree at Brooklyn College, be approved, effective January 1, 2011, subject to financial ability.

EXPLANATION: The purpose of the proposed joint registration is to provide Kingsborough Community College students with the first two years of the existing four-year degree program in Geology offered at Brooklyn College, and to guarantee Kingsborough graduates seamless transfer into the upper division baccalaureate program at Brooklyn College with no loss of credit. All of the required courses in the proposed A.S. program are already offered on a regularly scheduled basis at Kingsborough. Thus, the program will be an appropriate and cost effective addition to the liberal arts programs already offered at the College.

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

**A. BOROUGH OF MANHATTAN COMMUNITY COLLEGE – AMENDMENTS TO THE COLLEGE GOVERNANCE PLAN:**

RESOLVED, That the proposed amendments to the Governance Plan of Borough of Manhattan Community College be adopted, effective December 1, 2010.

**NOTE: New material is underlined.**

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**ARTICLE I: Legislative Bodies: The Academic Senate and the College Council**  
PART A: THE ACADEMIC SENATE

Section 1. Purpose

- a. The Academic Senate of the Borough of Manhattan Community College shall be responsible for the principal academic policy decisions of the college including admissions criteria, academic programs, degree requirements and graduation requirements. It shall be the agent of the faculty in carrying out the functions of faculty subject to the provisions of the Bylaws of the Board of Trustees.
- b. The Academic Senate shall have all the responsibilities of the faculty subject only to the right of the faculty to reverse any specific vote of the Senate by a two-thirds vote of the entire membership of the instructional staff.

Section 2. Membership

- a. Voting Members/Eligibility and Requirements

- i. Chairs of all academic departments.
  - ii. One full-time faculty elected by and from the instructors, lecturers, assistant professors, associate professors and professors in academic departments.
  - iii. Twenty five full-time faculty elected at-large from and by full-time faculty.
  - iv. Four currently employed adjuncts or adjunct CLTs. To be eligible to serve as an adjunct or adjunct CLT delegate, the individual must be working pursuant to a one year letter of reappointment at the time election is held. The adjuncts or adjunct CLTs are elected by and from the adjuncts and adjunct CLTs. They are elected by secret ballot in April of the appropriate year. They serve a three year term and may not succeed themselves after having served two consecutive terms.
  - v. Two full-time employees elected by and from college laboratory technicians.
  - vi. Twelve student representatives elected by the SGA in accordance with their by-laws.
  - vii. Ex-officio: the elected BMCC delegates to the University Faculty Senate.
  - viii. Ex-officio: the president of the college, the vice-president for academic affairs; two academic deans.
- b. Non-voting Members
    - i. The Registrar
    - ii. The Director of Enrollment Management
  - c. There shall be no substitutes or proxies in place of absent members

### Section 3. Elections and Vacancies

- a. Full-time department delegates, except for the department chair, are elected by secret ballot by eligible members of the department for a term of three years in May of the appropriate year. Vacancies are filled in the same manner by the department for the unexpired portion of the term. Department delegates may not succeed themselves after having served two successive full terms.
- b. Delegates-at-large are chosen from the membership of the full-time faculty. They serve a three-year term with 1/3 to be elected each year. Candidates must file a nominating petition containing the signatures of 25 full-time faculty. Elections of delegates-at-large are by secret ballot in April of each year with newly elected delegates-at-large assuming office at the next annual organizational meeting. Delegates-at-large are ineligible to serve simultaneously as department delegates. Vacancies for delegate-at-large are filled from the list of unsuccessful candidates of the last election, with the person having the most votes among the unsuccessful candidates receiving the vacancy. The vacancy is for the unexpired portion of the term.
- c. An eligible adjunct or adjunct CLT wishing to be elected as a representative must submit his/her name to the elections committee. All adjuncts and adjunct CLTs serve a three year term and may not succeed themselves after having served two consecutive full terms. Elections are by ballot mailed to reappointed adjuncts' and adjunct CLT's homes in April of the appropriate year. Vacancies for all delegates are filled from the list of unsuccessful candidates of the last election, with the person having the most votes among the unsuccessful candidates receiving the vacancy. The vacancy is for the unexpired portion of the term.

- d. Full-time College Laboratory Technician delegates are elected by and from full-time College Laboratory Technicians in academic departments. They are elected by secret ballot in April of the appropriate year. They serve three-year terms. Candidates for the position must file a nominating petition containing the signatures of at least five full-time CLTs assigned to academic departments. Vacancies are filled from the list of unsuccessful candidates of the last election, with the person having the most votes among the unsuccessful candidates receiving the vacancy. The vacancy is for the unexpired portion of the term.
- e. Where no list exists of unsuccessful candidates for the position of delegate at large, adjunct or part-time CLT, or full-time CLT, the vacancy may be filled by the President of the Academic Senate.
- f. Student Government Association representatives are elected by the SGA in accordance with the procedures established in their by-laws. They are elected in September of each year to serve for one-year terms. In order to serve in the Academic Senate a student must meet the City University of New York and the BMCC Student Government Association criteria for eligibility to hold office and must be able to serve for one year. Vacancies of student delegates shall be filled in accordance with the procedures set forth in the SGA bylaws for the filling of vacancies.
- g. An employee delegate automatically vacates the office if he/she is discontinued from employment. An employee who is not reappointed vacates his/her office at the end of his or her appointment.

#### Section 4. Structure and Functions of the Senate

- a. The officers and their duties:
  - i. The chair, the vice chair, the parliamentarian and the secretary of the Academic Senate are elected for one year terms from the membership by ballot by a majority vote at its May organizational meeting. In the absence of the chair, the vice-chair presides. In the absence of both the chair and the vice-chair, the chair appoints a member of the body to preside.
  - ii. The chair and vice-chair are members of the Executive Committee of the Senate. The chair or in his or her absence, the vice-chair, shall preside over the Executive Committee.
  - iii. The secretary of the Senate is a member of the Executive Committee but not of any other standing committee. The secretary is responsible for the minutes of all meetings and for the notification of all members of the Senate concerning meetings and Senate action.
- b. Meetings
  - i. The Academic Senate meetings follow the College Council meetings and are incorporated into the college calendar. The Senate meets at least twice each semester as determined by its Executive Committee. The dates of the regular meetings are established in consultation with the College Council Executive Committee.
  - ii. Upon petition of twenty (20) members of the Senate, a meeting must be called in order to deal with matters of Senate concern. Special meetings may be called by the chair or the Executive Committee.
  - iii. When time permits, the proposed agenda for both regular and special meetings is sent to the members of the faculty, staff and the SGA at least one week prior to the meetings.
  - iv. A quorum of both regular and special meetings consists of a majority of the whole number of members of the Academic Senate. For the purpose of this provision the words "whole number"

shall be construed to mean the total number which the Academic Senate would have were there no vacancies and were none of the members or officers disqualified from acting.

- v. The order of business at meetings of the Senate.
  - 1. Call to order
  - 2. Actions on minutes
  - 3. Communications and announcements
  - 4. Reports of standing committees
  - 5. Reports of special committees
  - 6. Old business
  - 7. New business
  - 8. Adjournment
- vi. Meetings of the Senate follow Roberts Rules of Order, revised, latest edition.
- vii. Minutes of the Senate meeting are sent to the faculty, staff and the SGA as soon as practicable after the meetings but in no case more than ten days after each meeting.
- viii. Members of the college community who are not members of the Senate may attend meetings and have the privilege of the floor but may not vote.

#### Section 5. Structure and Functions of Academic Senate Committees

- a. The Senate shall establish two types of standing committees: administrative and policy committees. By vote of the body, they may also establish special committees. The voting members of the standing committees include those elected to serve on the Senate itself and ex-officio voting members, the president of the college, the vice president for academic affairs and two academic deans. However, a maximum of two student representatives may serve with full voting rights on any standing policy committee with the exception of the Committee on Faculty Development. No student may serve on more than one committee. Students are not eligible to serve on administrative committees. Students may serve on the Academic Standing Committee when it is meeting to discuss policy questions.

Faculty members of the College Council standing committees shall not be assigned to serve on Academic Senate standing policy committees.

Chairs of any standing committee may solicit volunteers to serve, without vote, as necessary and appropriate.

- b. The standing administrative committees are:

The Committee on Committees

The Elections Committee and

The Executive Committee

The Regulation Compliance Committee

The function of the administrative committees is to provide for the execution of policy decisions. The members and the specific functions of each administrative committee are:

- i. The Committee on Committees consists of five members of the Senate elected at the first organizational meeting of the newly-elected Senate. No more than one person may serve from any one department and members may not succeed themselves. Each year the Committee appoints

members of the Senate to standing policy committees and special committees, honoring the request of individual Senate members as far as practicable.

- ii. The Elections Committee consists of five members elected by the Senate. This committee certifies the procedures and results of all Academic Senate and College Council balloting, nominations, and elections.
  - iii. The Executive Committee consists of the elected chair, the secretary of the Senate, and one representative of each standing committee, elected by each committee each new academic year. The functions of the Executive Committee are:
    - 1. To act for the Senate when it is not in session. All such actions are subject to review at the next session of the Senate.
    - 2. To prepare the agenda for Senate meetings. This agenda must include reports of all actions passed by the Senate committees and may include reports from the college president, College Council, SGA, and other relevant matters appropriate to the Senate.
    - 3. To refer matters brought to its attention to the appropriate committee.
    - 4. To implement Senate decisions.
    - 5. To review the calendar for the academic year.
    - 6. To meet with the president at least once per semester.
    - 7. To meet at least once a month during the fall and spring semester.
    - 8. To have the power to call the Senate into session and to coordinate the activities of all committees.
  - iv. The Regulation Compliance Committee consists of three members elected for one-year terms at the organizational meeting. The committee advises the Academic Senate, or any of its committees, on whether or not resolutions referred to the committee by the Senate or its committees comply with existing regulations within BMCC's Bylaws, CUNY's Bylaws, the union contract, or state or federal laws.
- c. The standing policy committees are:
- Academic Standing
  - Admissions
  - Curriculum
  - Instruction
  - Faculty Development
  - Student Affairs
  - Academic Freedom
- i. Each member of the Senate, appointed by the Committee on Committees, serves on one and only one policy committee assigned by the Committee on Committees.
  - ii. Any member of the faculty has the right, upon request, to appear before and speak, without vote, at any meeting of any Senate policy committee meeting.

- iii. Elected student representatives shall be responsible to report on the actions of their respective committees to the Student Government Association.

General Functions of the Policy Committees are:

- i. To render an annual report to the Senate.
  - ii. No later than two weeks after each meeting, to send to each member of the faculty a copy of the minutes of that meeting, prepared by the committee secretary.
  - iii. To send committee proposals requiring Senate action to the members of the Senate at least one week prior to Senate meetings.
- e. Functions of Specific Policy Committees
- i. The Academic Standing Committee
 

recommends policies regarding the academic qualifications that students must meet to be in good standing and the procedures for filing appeals for exceptions to the college's academic policies. The committee rules on appeals filed by students on matters related to academic standing, such as waivers of calendar deadlines, appeals for probationary status and exceptions to other academic policies as stated in the college catalogue. It will also hear appeals of the academic performance requirement of both federal and state financial aid programs.
  - ii. The Admissions Committee reviews, proposes and recommends policies pertaining to student recruitment, admissions and retention.
  - iii. The Curriculum Committee maintains a continuing review of the operation of the college curriculum and of pertinent developments in this field. Its functions include the evaluation and review of proposals for the modification of curricula.
  - iv. The Instruction Committee recommends policy in all areas dealing with effective teaching. It also distributes to the faculty information on the improvement of instruction.
  - v. The Faculty Development Committee discusses and disseminates information and promotes the well being and the professional development of the faculty.
  - vi. The Student Affairs Committee maintains a continuous review of, and recommends policy on, issues concerning retention, orientation, mentoring, community services, and scholarships.
  - vii. The Academic Freedom Committee educates the faculty on academic freedom issues and concerns, conducts screening and oversight of academic freedom complaints referred to the committee by faculty, and maintains a record of academic freedom violations reviewed by the committee. The American Association of University Professors' definition of academic freedom will guide the committee.
- f. Ad hoc Committees
- i. Ad-hoc committees, whose purpose is to perform a given task, may be formed by a majority vote of the Senate. Members of ad-hoc committees must be elected by a majority vote of the Senate. Any member of the faculty may serve.

- ii. The chairperson of the Academic Senate ad-hoc committees shall be appointed by the chairperson of the Academic Senate. All other chairpersons of committees of the Academic Senate, other than the Executive Committee, shall be elected by the respective committees.

## PART B: THE COLLEGE COUNCIL

### Section 1. Purpose

- a. Recognizing the legislative authority of the Academic Senate in matters of curriculum and degree requirements, the College Council shall be the body which establishes college policy on all matters except those specifically reserved by the laws of the State of New York, the Bylaws of the Board of Trustees of the City University of New York and by the collective bargaining agreements in force.
- b. The College Council shall serve as a forum for discussing issues and problems of general college concern, shall advise the President both in response to his request for counsel and, upon its own initiative, and shall provide, through its existence, a formal body for each constituent group to express its viewpoint and to communicate with each other.

### Section 2. Membership

- a. The membership of the Council shall include representatives from all segments of the college community and shall consist of:
  - i. The Members of the Administration. The members of the administration shall be designated as follows:
    - 1. The President of the college who shall chair the College Council. The Vice President for Academic Affairs, who shall be Vice Chair of the College Council.
    - 2. Ten other college administrators to be annually designated by the President. Among the ten to be designated shall be administrators holding the title vice president or dean.
  - ii. The Members of the Academic Senate. The full-time and part time faculty, instructional staff and student delegates of the Academic Senate shall be members of the Council.
  - iii. The Members of the Staff. The members of the staff shall be designated as follows:
    - 1. Two individuals serving in the Higher Education Officers series title.
    - 2. Two individuals serving full-time in a Civil Service title.
    - 3. Two part-time employees serving in the College Assistant title.
    - 4. A representative of the college Alumni Association.

### Section 3. Elections and Vacancies

- a. The service of the members of the Council who sit on the Council by virtue of their membership in the Academic Senate, whether faculty, instructional staff or student is co-extensive with their membership on the Academic Senate.
- b. The ten members of the administration appointed by the President shall serve a one-year appointment, subject to reappointment by the President.

- c. The delegates from the Higher Education Officer, Civil Service and College Assistant titles shall be elected by their respective constituent groups and shall be elected to three years. Vacancies in these positions are filled from the list of unsuccessful candidates of the last election. Where no list exists, the vacancy may be filled by the chairperson of the College Council. Elections shall be held in May by paper or machine ballot to be determined by the Elections Committee. If machine balloting is used, elections shall be held over a two consecutive day period.
- d. Candidates for the office of Higher Education Officer, Civil Service or College Assistant delegate must file an application to be a candidate with the Elections Committee. The application form and the date by which it must be filed shall be determined by the Elections Committee.
- e. The representative of the Alumni Association shall be designated by the association and shall serve a three-year term.
- f. Vacancies of faculty, college laboratory technician, and student delegates shall be filled in accordance with the procedures for the filing of vacancies set forth in Article I, Part A, Section 3 of the Governance Plan.
- g. Vacancies of administration members shall be filled at the discretion of the President.

#### Section 4. Structure and Functions of the College Council

- a. The officers and their duties
  - i. The chair of the Council is the President of Borough of Manhattan Community College and the vice chair is the Vice President for Academic Affairs. In the absence of the chair and vice chair, the President appoints a vice president or dean to preside.
  - ii. The chair and vice chair are members of the Executive Committee of the Council. The chair or vice chair shall preside over the Executive Committee.
  - iii. The secretary of the Council is elected at the May meeting of the Council from among the membership for a one-year term. The secretary is a member of the Executive Committee, but not of any other standing committee. The secretary is responsible for the minutes of all meetings, and for the notification of all members of Council concerning meetings and Council action.
  - iv. The Council, at its May meeting, elects a parliamentarian by a majority vote each year.
- b. Meetings
  - i. The Council meetings precede the Senate meetings and shall last no more than one hour. The meetings are incorporated into the college calendar. The Council meets at least twice each semester as determined by its Executive Committee. The dates of the regular meetings are established in consultation with the Academic Senate Executive Committee..
  - ii. Upon petition of twenty (20) members of the Council a meeting must be called in order to deal with matters of Council concern. The chair, the Executive Committee, or a resolution from the Council may call for special meetings.
  - iii. The proposed agenda for both regular and special meetings will be sent to the college community, the SGA, and Academic Senate at least one week prior to the meetings.
  - iv. A quorum of both regular and special meetings shall consist of a majority of the whole number of members of the College Council. For the purpose of this provision the words "whole number" shall

be construed to mean the total number, which the College Council would have, were there no vacancies and were none of the members disqualified from acting.

- v. The order of business at meetings shall proceed as follows:
  - 1. Call to order
  - 2. Action on minutes
  - 3. Communications and announcements
  - 4. Old business
  - 5. Reports of standing committees
  - 6. Reports of special committees
  - 7. New business
  - 8. Adjournment
- vi. Meetings of the Council follow Robert's Rules of Order, revised, latest edition.
- vii. Minutes of each meeting shall be sent to the college community no more than ten days after each meeting.
- viii. Members of the college community who are not members of the College Council may attend meetings and shall have the privilege of the floor, but they may not vote.

#### Section 5. Structure and Functions of College Council Committees

- a. The Council shall establish standing committees and special committees.
- b. The standing committees are the Executive Committee, Long Range Planning Committee, Budget Committee, Campus Facilities and Security Committee, Technology Committee, and Committee on Campus Life and Student Issues. Faculty members of the College Council standing committees shall not be assigned to serve on Academic Senate standing policy committee. Where an insufficient number of faculty are elected to serve on a College Council standing committee, the chairperson of the applicable committee shall solicit a faculty member who is not a member of the College Council to serve as a faculty representative of his or her committee with full voting rights. The members and functions of each committee are:
  - i. Executive Committee consists of the elected chair, the secretary of the College Council, and one representative of each standing committee, elected by each committee each new academic year. The functions of the committee are:
    - 1. To act for the College Council when it is not in session. All such actions are subject to review at the next session of the Council.
    - 2. To prepare the agenda for College Council meetings. This agenda must include reports from the college president, Academic Senate, SGA, all actions passed by Council committees and may include other relevant matters appropriate to the Council.
    - 3. To refer matters brought to its attention to the appropriate committee.
    - 4. To monitor and oversee the implementation College Council decisions.
    - 5. To meet at least once a month during the academic year.
    - 6. To have the power to call the Council into session, and to coordinate the activities of all committees.

7. To approve the calendar for the academic year.
  - ii. Long Range Planning Committee shall be chaired by the President of the College Council and shall consist of the chairperson of each College Council standing committee, the Vice President for Student Affairs, the Vice President for Development, the President of the Student Government Association, and one faculty member from each of the College Council Standing Committees to be designated by the Chairperson of the College Council. The Committee shall meet at the discretion of the chairperson of the committee, but shall meet at least once during the academic year.
  - iii. Budget Committee consist four faculty or staff council members elected by the College Council, two persons appointed by the President, one of whom shall be appointed by the President to serve as chairperson of the committee, and one student selected by SGA. The Committee shall be responsible for reviewing budget information and be responsible for recommending policy relating to the financial and budgetary affairs of the college. The Committee will meet at least once per semester.
  - iv. Campus Facilities and Security Committee consists of four faculty or staff council members persons elected by the Council, the Vice President for Administration, who shall chair the committee, one person appointed by the President, and one student selected by the SGA. The committee shall be responsible for recommendations to the College Council concerning the conditions, improvements and safety of the college and the allocation of space and facilities.
  - v. Committee on Campus Life and Student Issues consists of four faculty or staff council members elected by the College Council, the Dean for Student Affairs, who shall chair the committee, one person appointed by the President, and three student members selected by the SGA. The committee shall be responsible for making recommendations concerning the student's college experience.
  - vi. Committee on Technology consists of four faculty or staff members elected by the council, two members appointed by the President, one of whom shall be appointed by the President to serve as chairperson of the committee, and one student selected by the SGA. The committee shall be responsible for reviewing new technologies, including hardware and software, for the enhancement of teaching and learning and recommending policies related to technology in the college community.
- c. Ad-hoc committees whose purpose is to perform a given task may be formed by a majority vote of the College Council. Members of the ad-hoc committees must be elected by a majority vote of the College Council. Any member of the College Council may serve on an ad-hoc committee.
- d. The chairperson of College Council Ad-Hoc Committees shall be appointed by the Chairperson of the College Council.

<...>

**EXPLANATION:** The proposed amendments to the Governance Plan ("the Plan") of Borough of Manhattan Community College ("BMCC") were adopted by the BMCC College Council and are recommended by the College President. The first amendment, which would establish an Academic Freedom Committee within the Academic Senate, was adopted by the College Council on April 28, 2010. On May 26, 2010, the College Council passed the second amendment, which would create a Regulation Compliance Committee within the Academic Senate.

The Academic Freedom Committee is charged with reviewing faculty complaints concerning alleged breaches of their right to academic freedom. The Academic Senate considers it important to have a structure in place at BMCC to review such complaints.

With respect to the Regulation Compliance Committee, the Academic Senate felt it necessary to establish a body responsible for reviewing Senate resolutions for compliance with CUNY and BMCC Bylaws, applicable collective bargaining agreements, and state and federal law.

**B. COLLEGE OF STATEN ISLAND – NAMING OF THE NANCY K. MUNSON FOUNTAIN:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the fountain located on the Alumni Walk at the College of Staten Island as “The Nancy K. Munson Fountain.”

EXPLANATION: The late Nancy K. Munson was a board member of The Brooklyn Home for Aged Men. In 2009 The Brooklyn Home for Aged Men donated \$300,000 to the College of Staten Island Foundation, Inc., which was matched by \$200,000 from the U.S. Department of Education, to establish the Nancy K. Munson/Brooklyn Home for Aged Men Scholarship Endowment. This scholarship has paved the way as the College’s first permanently restricted gift specifically for nursing students, ensuring support for future nurses focusing their careers in geriatric care and gerontology. The College therefore recommends naming of this fountain in honor of Nancy K. Munson.

**C. (ADDED ITEM) BROOKLYN COLLEGE - NAMING OF THE MURRAY KOPPELMAN CLASSROOM BUILDING:**

RESOLVED, That the Board of Trustees of The City University of New York ratifies the agreement signed on November 2, 2010 whereby The Brooklyn College Foundation, Inc. accepted a donation of \$2,500,000.00 from Murray Koppelman; and be it further

RESOLVED, That the Board of Trustees of The City University of New York approves the naming of the first classroom building to be constructed on behalf of Brooklyn College at 2210 Nostrand Avenue, Brooklyn, New York as “The Murray Koppelman Building”, in recognition of the gift from Murray Koppelman which will be used to purchase the property.

EXPLANATION: Murray Koppelman, Brooklyn College Class of 1957, has served as a trustee of the Brooklyn College Foundation for more than 25 years. This gift to the Foundation will allow Brooklyn College to expand its campus by the purchase of property conveniently located immediately adjacent to the College. Following that purchase, the Foundation will convey title to the property to the University. In addition to this gift, Mr. Koppelman has made other gifts totaling more than \$1,500,000.00 in support of the College. The agreement between Mr. Koppelman and the Foundation provides for the possibility of an alternate use of the money donated in the event that either the gift is not ratified by the CUNY Board of Trustees or the property is not purchased for any reason.

**D. (ADDED ITEM) CITY COLLEGE - NAMING OF THE KAYLIE PRIZE:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of an academic interdisciplinary prize at The City College of New York as the “The Kaylie Prize.”

EXPLANATION: Harvey L. Kaylie is a 1960 City College electrical engineering alumnus who pledged \$3,000,000 in 2010 to The City College of New York’s 21<sup>st</sup> Century Foundation. His gift will endow a year-long competition culminating in a prize that will be awarded annually to the best entrepreneurial project in a given year by a team of City College students and their faculty advisor. In recognition of his generosity, the College requests that this prize be named “The Kaylie Prize” in perpetuity.

After completing his education, Harvey Kaylie founded Mini-Circuits, a global leader in the design, manufacture and distribution of electronic components. He has served as Chairman, President and Chief Executive Officer of Mini-Circuits since 1969, publishing many papers and receiving numerous patents. In recognition of his first seven-figure gift to CCNY that established the Mini-Circuits Scholars Program, Mr. Kaylie was inducted into the President’s Circle in 2007. Three years later, he was elected to its 21<sup>st</sup> Century Foundation Board. In addition to his commitments to City College, he is a member of the Board of Overseers of Weill Cornell Medical College, Vice Chairman of America’s Voice in Israel, and President Emeritus and Executive Committee member at large of the Israel Cancer Research

Fund. Mr. and Mrs. Kaylie are President and Vice President, respectively, of the Harvey and Gloria Kaylie Foundation, Inc.

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

**A. BARUCH COLLEGE - NORTH CAMPUS EXTERNAL LIGHTING:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a construction contract on behalf of Baruch College to install external lighting on the Baruch College North Campus. 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. BA007-007, for an amount not to exceed \$650,000. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: Baruch College needs to install and upgrade exterior lighting on and around the buildings of the College's North Campus, to enhance the illumination surrounding these buildings and to promote safety and esthetics.

**B. BROOKLYN COLLEGE - TV STUDIO PRODUCTION FACILITY:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a construction and equipment installation contract on behalf of Brooklyn College to reconstruct the TV Studio Production Facility in Whitehead Hall. The contract cost shall be chargeable to the City Capital Budget, Project No. BY019-010/BY020-010 for an amount not to exceed \$2,850,000 (for construction and equipment). The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The existing production facility is technologically outdated and no longer meets the needs of the College. Brooklyn College will replace all existing equipment with new, state-of-the-art digital equipment, and reconstruct the facility to meet current codes and the needs of the new digital systems. This project will be a CUNY-managed project.

**C. THE CITY UNIVERSITY OF NEW YORK - FIVE-YEAR CAPITAL BUDGET REQUEST, FY 2011-12 THROUGH FY 2015-16:**

RESOLVED, That The City University of New York Board of Trustees approve the Five-Year Capital Budget Request for Fiscal Years 2011-12 through 2015-16, of approximately \$5.6 billion for major bonded projects authorized by the City University Construction Fund to address critical maintenance, infrastructure, and programmatic initiatives. These projects shall be funded through bonds sold by the Dormitory Authority of the State of New York (DASNY) with debt service payments appropriated by the State of New York and the City of New York, and through bonds sold by the City of New York. The Request also includes approximately \$40 million for minor rehabilitation projects funded through the State's General Fund.

The Request is comprised of: approximately \$4.9 billion in new bonded and minor rehabilitation funding requested from the State, \$1.9 billion of which is required to complete existing projects; and approximately \$670 million in new bonded and minor rehabilitation funding requested from the City, \$128 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 2011-12 through FY 2015-16 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 2011-12 Request represents an update to the current five-year plan. The projects included in the plan originate at the campuses and are prioritized following Board of Trustees criteria (see Attachment).

In 1998, the State provided the University with a fixed five-year capital plan. When that fixed plan ended in 2003-04, the University was provided with rolling multi-year plans that included both re-appropriated funds that had not yet been bonded and additional new requests. These rolling multi-year plans continued until 2008-09, when the University received a new fixed five-year plan. However, the State recognizes that additional funding may be needed before the close of this new fixed five-year plan. In May 2005, for the first time, the Mayor of the City of New York provided the University with a multi-year appropriation from the City. The FY 2011-12 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 CUNYfirst;

**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 2011-12 through FY 2015-16 Request

1. Critical Maintenance projects to ensure health, safety, security, facilities preservation, and compliance with codes, including ADA and asbestos-related regulations;
2. Individual campus projects that were started with partial earlier funding and need completion of funding;
3. Projects to upgrade existing science facilities and provide new science instruction and research facilities;
4. CUNY-wide technology projects, including infrastructure upgrades, systems engineering, and new equipment;

5. New construction of space needed for academic programs, with projects ranked in order of overall campus space deficiency. Highest priority is assigned to classroom and instructional laboratory facilities and to the replacement of temporary or leased space with permanent space;
6. CUNY-wide projects to meet energy conservation and performance objectives;
7. CUNY-wide and individual campus projects for purposes other than those listed above.

**D. THE CITY UNIVERSITY OF NEW YORK - RENOVATION OF CENTRAL ADMINISTRATION SPACE AT 535 EAST 80<sup>TH</sup> STREET, NEW YORK CITY :**

RESOLVED, That the Board of Trustees of The City University of New York approve the execution of a construction services contract for the renovation of Floors 3, 5 & 7 at 535 East 80<sup>th</sup> Street, NYC, on behalf of the CUNY Central Administration. The contract cost shall be chargeable to University funds, Project No. CO-CUCF-04-10, for an amount not to exceed \$3.275 million; and be it further

RESOLVED, That the Board of Trustees of The City University of New York request the City University Construction Fund to enter into a contract with the selected contractor for such services.

EXPLANATION: CUNY Central Administration will partially renovate the interiors of Floors 3, 5 and 7, a total of 7,620 square feet, in order to provide needed conference rooms, meeting rooms, archival storage and office space, as well as upgrades to the existing restrooms. The work will include furniture, finishes, lighting, infrastructure (mechanical, electrical, plumbing, and IT), and signage. The project will be CUNY-managed. The proposed firm shall be selected in accordance with law.

**E. NEW YORK CITY COLLEGE OF TECHNOLOGY - CAMPUS FIRE ALARM SYSTEM, AMENDMENT TO PRIOR RESOLUTION:**

RESOLVED, That the Board of Trustees of The City University of New York amend the resolution adopted December 8, 2008, Cal. No. 3.F., for the execution of a contract with Johnson Controls, Inc., for installation of a campus fire alarm system at New York City College of Technology; and be it further

RESOLVED, That the City University Construction Fund is requested to execute an amendment to an existing purchase order, which incorporates New York State Office of General Services Contract No. 63103, with the firm of Johnson Controls, Inc.

The amendment reflects an increase of \$450,000 to the original contract amount, for services and equipment required to complete the design and installation of an additional fire alarm system at the College's Namm Hall Complex. The total cost of the amendment shall be chargeable to the State Capital Construction Fund, Project No. 2807909999, for an amount not to exceed \$450,000.

EXPLANATION: Renovations to various locations at the College require a new code-compliant fire alarm system that will be coordinated with the base system already installed on the campus by Johnson Controls, Inc., under the original Purchase Order. The renovated locations include Namm Hall, the Allied Health Center, the "G" Building, and the Namm Hall Atrium. New York City College of Technology will use the services and equipment added by this amended resolution to complete the installation of an additional fire alarm system at the Namm Hall Complex.

**F. NEW YORK CITY COLLEGE OF TECHNOLOGY - NEW ACADEMIC BUILDING, AMENDMENT:**

RESOLVED, That the Board of Trustees of The City University of New York amend the prior resolution, adopted June 23, 2008, Cal. No. 6.D., for execution of a consultant contract on behalf of New York City College of Technology with the firm of Perkins Eastman for professional design and construction-related services as required for the College's New Academic Building; and be it further

RESOLVED, That the City University Construction Fund be requested to execute an amendment to an existing consultant contract to reflect the Fund's purchase of additional design services to complete the design for the New Academic Building. The total cost of the amendment shall be chargeable to the State Capital Construction Fund, Project No. 258209999, for an amount not to exceed \$1,000,000.

EXPLANATION: The additional design services will include the design of the TV and Radio Studio and other services not anticipated as part of the agreement with Perkins Eastman.

Initial plans called for others to move the existing TV and Radio Studio occupants from the project site. Subsequent to commencement of design, it was determined that the relocation of the TV and Radio Studio would be required in order to advance the project, and that during construction, the TV and Radio Studio would be housed in the CUNY Graduate Center. The relocation of the TV and Radio Studio to the Graduate Center became an additional scope item for this project and will be handled by CUCF through an existing consultant contract.

#### **G. QUEENS COLLEGE - ELECTRICAL DISTRIBUTION SYSTEM UPGRADE:**

RESOLVED, That the Board of Trustees of The City University of New York request the City University Construction Fund (CUCF) to enter into a consultant contract with the firm of O'Brien & Gere, for professional design and construction-related services as required for the Electrical Distribution Upgrade at Queens College, CUNY Project No. QC500-009. The contract cost shall be chargeable to the State Capital Construction Fund for an amount not to exceed \$600,000. The contract shall be subject to approval as to form by the University Office of the General Counsel; and be it further

RESOLVED, That this resolution supersede and replace the resolution adopted April 26, 2010, Cal. No. 6.F., for a consultant contract for the subject project with the firm of AKF Engineers, LLP.

EXPLANATION: Queens College campus will upgrade and modernize the electrical distribution system, and upsize the delivery of electric service coming into each building. The proposed firm was selected in accordance with law and procedures established by the CUCF.

The previous resolution was for a consultant contract with AKF Engineers, LLP, for an amount not to exceed \$1,000,000. This resolution is for a consultant contract with O'Brien & Gere, to replace AKF, and will result in significant cost savings. AKF could not come to an agreement on the contract terms with CUNY, resulting in the termination of contract negotiations by CUNY.

#### **H. QUEENS COLLEGE - LOUIS ARMSTRONG HOUSE MUSEUM VISITORS CENTER:**

RESOLVED, That the Board of Trustees of The City University of New York accept the design for the new Louis Armstrong House Museum Visitor's Center at Queens College, as prepared by Caples Jefferson Architects, with a construction budget of \$14,000,000. The Board approved the selection of the design/engineering firm of Caples Jefferson Architects by resolution dated April 30, 2007, Cal. No. 4.C.; and be it further

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

EXPLANATION: Queens College will build a new 14,500 gross square feet Visitors Center for the Louis Armstrong House Museum on a vacant lot across the street from the Louis Armstrong House in Corona, Queens. The new Visitors Center will replace the undersized visitor facilities currently located in the basement of the Louis Armstrong House, and will provide a new repository for the Armstrong Archives which are currently housed on the Queens College campus.

**I. QUEENS COLLEGE - ROSENTHAL LIBRARY RENOVATION, PHASE 1:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the CUNY General Counsel to execute a construction contract on behalf of Queens College for the first phase of the renovations to Rosenthal Library. 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 City Capital Funds and State Hard Dollars, Project No. QC014-007, for an amount not to exceed \$2,300,000. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: Queens College will renovate the Rosenthal Library.

**J. YORK COLLEGE - ACADEMIC VILLAGE AND CONFERENCE CENTER AT 94-43 159<sup>th</sup> STREET, QUEENS:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a consultant contract with the firm of Ennead Architects for professional design and construction-related services as required for the new Academic Village and Conference Center building at York College, CUNY Project No. YC-CUCF-04-09. The contract cost shall be chargeable to the State Capital Construction Fund for an amount not to exceed \$9,500,000. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: York College will construct a 160,000 gross square foot building at 94-43 159<sup>th</sup> Street, Queens, on the site currently occupied by the classroom building. The existing building was constructed in 1974 as a temporary building and will be demolished to allow for the construction of a new state-of-the-art building that will include: a facility for student services, a conference center (that will be available for use by the community), general instruction spaces, administrative functions (one-stop registration), lounges, study areas, support spaces, a relocated college bookstore that will also be available to the community, and gallery space.

The proposed firm was selected in accordance with law and procedures established by the University.

Fee negotiations with Ennead Architects are underway and are expected to be concluded shortly. This board resolution is being submitted prior to a final resolution of contract negotiations, so that the design work on this important project can begin once the resolution is passed and a contract is executed.

**K. THE CITY UNIVERSITY OF NEW YORK - EXTENSION OF LEASE AGREEMENT AT 875 SIXTH AVENUE, NEW YORK, NY:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the Senior Vice Chancellor for Legal Affairs to execute a 15-year lease extension agreement for a portion of the premises at 875 Sixth Avenue, New York, New York, on behalf of the Central Office, consisting of the Sixth, Seventh and Ninth Floors. The lease extension shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The University currently leases approximately 50,600/SF of space on the 6<sup>th</sup>, 7<sup>th</sup>, 9<sup>th</sup>, 12<sup>th</sup> and 14<sup>th</sup> Floors at 875 Sixth Avenue, pursuant to a lease that will terminate in January 2011 for the 6<sup>th</sup> and 7<sup>th</sup> Floors and in January 2013 for the 9<sup>th</sup>, 12<sup>th</sup> And 14<sup>th</sup> Floors. The current escalated base annual rent is \$2,358,384 (\$46.61/SF). The space is currently used by administrative units of the central office as well as the University's Creative Arts Team.

Pursuant to the new lease extension, the University will extend the lease for the 6<sup>th</sup>, 7<sup>th</sup>, and part of the 9<sup>th</sup> floors (a total of 29,324 rentable square feet) for a fifteen-year period. With respect to the 7<sup>th</sup> floor, the University will have the option of terminating this space after the first five years of the term. The lease term for the 12<sup>th</sup> and 14<sup>th</sup> Floors (a total of 21,076 rentable square feet) will be allowed to expire in January 2013 and functions housed on these floors will be relocated to other locations.

With respect to the 6<sup>th</sup>, 7<sup>th</sup> and 9<sup>th</sup> Floors, the main terms of the new lease extension are as follows:

- Base Annual Rent for all spaces under the new lease will not exceed:
  - \$997,016 (\$34/SF) for years 1 - 3
  - \$1,055,664 (\$36/SF) for years 4 - 7
  - \$1,231,608 (\$42/SF) for years 8 - 10
  - \$1,348,904 (\$46/SF) for years 11 - 15
- If the University exercises its cancellation option with respect to the 7<sup>th</sup> Floor, the above annual rental costs will be reduced proportionately.
- 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.

**L. THE CITY UNIVERSITY OF NEW YORK - NEW LEASE AT 104 EAST 25th STREET, NEW YORK, NY:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the Senior Vice Chancellor of Legal Affairs to execute a new fifteen-year lease, for approximately 59,000 rentable square feet of space, at 104 East 25th Street, New York, New York, on behalf of Baruch 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 104 East 25th Street will house all of the College's office functions that are presently located at 135 East 25th Street, a rented facility with a lease expiration date of March 30, 2011. Compared to the current site, the new facility will provide the College with a number of advantages, including better quality space, more flexibility in how the space can be used, a large ground floor presence for convenient student services, rights of future expansion, and more favorable rental rates.

The main terms of the proposed lease are as follows:

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

Area: Up to 59,000/RSF of space on contiguous floors.

Annual Base Rent:

First Five Year Period: Not to exceed: \$2,065,000 (\$35.00/RSF) per annum.

Second Five Year Period: Not to exceed: \$2,301,000 (\$39.00/RSF) per annum.

Third Five Year Period: Not to exceed: \$3,537,000 (\$43.00/RSF) per annum.

Expansion Rights: The University will have the Right of First Offer on future floors as they become vacant.

In lieu of operating escalations, the base rent will increase by 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 in excess of the Landlord contribution will be paid back as additional 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.

**M. THE CITY UNIVERSITY OF NEW YORK – NEW LEASE AT 205 HUDSON STREET, NEW YORK, NY, AMENDMENT:**

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 95,000 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 Program. The MFA Program is currently housed at a University owned facility located at 450 West 41<sup>st</sup> 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 41<sup>st</sup> 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>, 3<sup>rd</sup> and 4<sup>th</sup> Floors and part of the Ground Floor.

Annual Base Rent:

First Five Year Period: Not to exceed: \$2,945,000 (\$31.00/RSF) per annum.

Second Five Year Period: Not to exceed: \$3,230,000 (\$34.00/RSF) per annum.

Third Five Year Period: Not to exceed: \$3,705,000 (\$39.00/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. 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.

The resolution adopted by the Board on June 28, 2010, Cal. No. 6.I., is being amended in order to add the 4<sup>th</sup> Floor to the premises being rented.