

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

**REVISED
CALENDAR**

SEPTEMBER 26, 2011

NO. 1. CHANCELLOR'S UNIVERSITY REPORT: RESOLVED, That the Chancellor's University Report for September 26, 2011 (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 meeting of June 27, 2011 and the special Board meeting of August 3, 2011 be approved.

NO. 3. NOTICE OF PROPOSED AMENDMENTS TO THE BYLAWS OF THE BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK:

At the request of Board Chairperson Benno Schmidt and Chancellor Matthew Goldstein, notice is hereby provided of proposed amendments to the Bylaws, for consideration at the Board of Trustees meeting on November 28, 2011.

NOTE: A copy of the proposed amendments to the Bylaws of the Board of Trustees is on file in the Office of the Secretary of the Board.

EXPLANATION: The current Bylaws contain numerous provisions that are outdated, lack clarity, do not conform to longstanding University practice, or are duplicative of provisions contained in the Education Law or the University's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the General Counsel and Senior Vice Chancellor for Legal Affairs has drafted revised Bylaws that rewrite or remove outdated provisions, delete unnecessary material and conform the Bylaws to current practice.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

Article 1 - Meetings of the Board: Sections 1.1 and 1.2 have been amended to add requirements necessary for Board of Trustees meetings to comply with the Open Meetings Law, Public Officers Law §§ 100 et seq. as well as Chapter 98 of the Laws of 2010, a recent statute requiring that CUNY and SUNY make board agendas and subsequent meeting records publicly available on their websites. Section 1.6 has been amended to provide that, in case neither the chairperson nor the vice chairperson is present at a meeting of the Board of Trustees, the chairperson shall designate another trustee to preside at the meeting.

Article 2 - Officers of the Board: Section 2.4 has been amended to explicitly provide that, if the position of chairperson of the Board of Trustees is vacant, the vice chairperson shall exercise all the duties of the chairperson. Section 2.5 has been amended to provide that designees of the general counsel may verify pleadings and sign affidavits in legal proceedings.

Article 3 - Committees of the Board: Sections 3.1 and 3.2 have been amended to update the names of the standing committees of the Board. Sections 3.1 and 3.2 have been amended to comply with Chapter 98 of the Laws of 2010 and the Open Meetings Law with respect to notice of meetings and availability of meeting agendas and subsequent meeting records.

Article 4 -The Council of Presidents: The last sentence of Section 4.2 has been deleted to remove any ambiguity about the fact that the college presidents are responsible directly to the chancellor and through the chancellor to the board.

Article 6 - Instructional Staff: Section 6.1 has been amended to add and delete instructional staff titles to conform to the titles currently being used by the University. Section 6.2 has been amended to delete old titles and to delete sections that are governed by the PSC-CUNY collective bargaining agreement or the New York State Education Law. The non-historical portion of Section 6.4, regarding administrative certificates of continuous employment, has been removed as it is governed by the PSC-CUNY collective bargaining agreement. Section 6.5 has been amended to delete the long list of titles that are not eligible for tenure, which must be updated whenever a new title is added, and instead to provide that no instructional staff titles other than those listed in Section 6.2 carry tenure. Section 6.6(a) has been amended to clarify that only full-time annual appointments to the instructional staff must be approved by the Board of Trustees. Section 6.6 (c) has been amended to conform to current University practice. Portions of Section 6.6(e), all of Section 6.6(f) and Section 6.7 have been deleted as the procedures for non-reappointments in faculty titles are governed by the PSC-CUNY collective bargaining agreement. Section 6.8 (c) has been amended to delete duplicative material. Sections 6.9 through 6.14, which contain procedures for the discontinuation of instructional staff personnel mandated by fiscal exigency, have been deleted as this issue is governed by the University's retrenchment guidelines as well as provisions of the New York State Education Law.

Article 7 - Academic Due Process: Article 7 sets forth the grounds and procedures for removing or suspending members of the instructional staff. In the case of instructional staff covered by the PSC-CUNY agreement, this provision has been superseded by the three-step disciplinary process set forth in the collective bargaining agreement, which culminates in a binding arbitration. Accordingly, Article 7 applies only to instructional staff excluded or not otherwise covered by the PSC-CUNY Agreement. The lengthy investigation and hearing process set forth in the current Article 7, with a final determination made by the Board of Trustees, is inappropriate and unnecessary in the case of excluded instructional staff. This provision has accordingly been rewritten to provide that instructional staff (other than members of the executive compensation plan) whose employment is not covered by a collective bargaining agreement, or who are represented by a union at such time that an expired collective bargaining agreement has not been continued by operation of law, shall be subject to such disciplinary procedures as may be adopted by the Vice Chancellor for Human Resources Management. The revised bylaw also states that, in the event no collective bargaining agreement is in effect, the provisions of the Section 6212(9) of the Education Law will apply in the case of tenured faculty.

Article 8 - Organization and Duties of the Faculty: Article 8 has been revised to remove provisions relating to the faculty, and duties of faculty, at City College, which are outdated and are set forth in its governance plan. In addition, references to the "Graduate School and University Center" have been revised to refer only to the "Graduate School", as the University Center is not synonymous with the Graduate School but now encompasses other schools and programs. Sections 8.1 and 8.5 has been amended to clarify that administrators with underlying professorial appointments hold faculty rank. Section 8.1 and 8.2 have been amended to include the longstanding University practice that a faculty member who is on Travia leave does not retain his/her faculty voting rights. Section 8.6 has been amended to make its language consistent with Article 8.13; in both cases, faculty and/or faculty representatives formulate academic policy subject to the Board of Trustees, which has final authority over the educational work and administration of all educational units of the University pursuant to Education Law § 6204, subd. 1. Section 8.7 has been amended to make the section on Faculty/Academic Councils generally applicable to all units of the University. Sections 8.9 and 8.11, relating to college committees on faculty personnel and budget, have been amended to delete college-specific language, to clarify the titles as to which the committee makes personnel recommendations, and to delete language relating to the grievance procedure, which is set forth in the PSC-CUNY agreement. Section 8.12 has been amended to make clear that, in communicating the result of the college committee on faculty personnel and budget's recommendation to the candidate, no reason is to be given for either a negative or positive recommendation.

Article 9: The amendments to Article 9 are described below:

(1) Section 9.1(e), regarding departmental personnel and budget committees and appointment committees, has been amended to eliminate the distinction between Plan No. One and Plan No. Two, which are not meaningfully

different. The section has also been amended to add a provision allowing the president to remove a member of a department personnel and budget committee, following consultation with the department chairperson, if the interests of the college require it.

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

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

(4) Sections 9.4 and 9.5, relating to program structure in the Graduate School and University Center, and Duties of Executive Officer in the Graduate School and University Center, have been eliminated, as those topics are addressed in the Graduate School's governance plan.

(5) Section 9.6, relating to recruitment, has been deleted as unnecessary.

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

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

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

Article 11. Article 11 of the Bylaws generally sets forth the position descriptions for members of the instructional staff. Because position descriptions are generally not included in an institution's bylaws, and because many of the position descriptions in the current bylaws are incomplete and out-of-date, Article 11 is being amended to remove all position descriptions other than those of Chancellor, Senior University Staff, President, Instructor, Assistant Professor, Associate Professor, Professor, Distinguished Professor, Medical professorial titles (as currently set forth in Sections 11.36 and 11.37), and Law School faculty titles (as currently set forth in Section 11.43.) Section 11.1 now provides that the minimum qualifications and duties for all positions in the instructional staff, other than those above specifically set forth in that article, shall be established by the Chancellor or his/her designee. Sections 11.5 and 11.6, 11.10 through 11.35, 11.38 through 11.42, and 11.44 through 11.46, which contained the other position descriptions, have been deleted.

Article 12. This article on Salary Schedule Conditions has been updated to reflect current practice. Sections 12.4 and 12.5 have been deleted as unnecessary.

Article 13. This article on Leaves has been substantially shortened by deleting provisions that are contained in the PSC-CUNY collective bargaining agreement and are inconsistent with University practice.

Article 14. This article on the Non-Instructional Staff has been updated to include all titles in the classified civil service of the University and to delete the outdated disciplinary procedure for classified staff, which is now set forth in either the applicable collective bargaining agreement or in the CUNY Personnel Rules and Regulations.

Article 15. Article 15 regarding Students has been revised to bring the student conduct and student organization sections into compliance with University practice and applicable law, and to clarify and address issues that have arisen concerning the University's student disciplinary procedures. Section 15.0 has been amended to broaden the provision regarding freedom from discrimination to include all the grounds set forth in the University's non-discrimination policy. Section 15.1 has been amended to clarify that the student conduct standard is that set by the Board, and cannot be

added to by other bodies. Section 15.2(a) and (c) have been amended to ensure that the University does not prohibit speech protected by the First Amendment, while still setting forth the Board's expectation that students should be respectful of diverse viewpoints. Section 15.2(b)(3) has been amended to revise the complaint procedure in the case where a person or organization believes that a student organization has violated the code of conduct standard, to provide for an investigation by the student government, rather than a fact-finding hearing under Section 15.3, and to include an appeal to the chief student affairs officer. Section 15.2(d) has been amended to provide for an appeal from the student elections review committee to the college president or his/her designee. Section 15.3 has been amended to bring the student disciplinary procedures in line with the nomenclature now used in the higher education student affairs community, which uses terms like "responsible" instead of "guilty" and "mediation" instead of "conciliation". In addition, the following substantive changes have been made to the student disciplinary process: (1) Section 15.3(c) has been added to provide a procedure to address student disciplinary charges where the student has withdrawn from a college before disciplinary charges have been adjudicated; (2) Sections 15.3(f)(12) and f(13) have been added to codify the University's practice that a penalty of dismissal or suspension for one term or more is a university-wide penalty, and that disciplinary penalties are placed on student transcripts; and (3) Section 15.4 has been amended to provide that students may appeal a disciplinary penalty of one term or more (rather than a penalty for more than one term) to the Board Committee on Student Affairs and Special Programs.

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

A. NEW YORK CITY COLLEGE OF TECHNOLOGY - BS IN MATHEMATICS EDUCATION:

RESOLVED, That the program in Mathematics Education leading to the Bachelor of Science at New York City Technical College be approved, effective September 27, 2011, subject to financial ability.

EXPLANATION: This program will prepare students for certification to teach middle school and secondary school mathematics (grades 7 to 12) in New York State. The degree is unique in that the proposed curriculum is comprised of 4 components: a pedagogy component (29 credits) in which most courses are specific to the teaching of mathematics, a mathematics component (37 credits), a liberal arts and science core component (43-45 credits), and a mathematical applications component (9-11 credits) which will draw from allied disciplinary strengths of the college such as architecture, electrical and computer engineering technology, computer systems, applied mathematics, and physics. The program aims to address the shortage of well-trained mathematics teachers in the New York City public school system, particularly among underrepresented groups.

B. QUEENSBOROUGH COMMUNITY COLLEGE/NEW YORK CITY COLLEGE OF TECHNOLOGY - DUAL/JOINT AAS/BSEd IN TECHNOLOGY/CAREER AND TECHNICAL EDUCATION:

RESOLVED, That the program in Technology/Career and Technical Education leading to the Associate of Applied Science/Bachelor of Science in Education at Queensborough Community College and New York City College of Technology be approved, effective September 27, 2011, subject to financial ability.

EXPLANATION: The purpose of the proposed dual/joint degree program is to expand the career opportunities available to graduates of AAS degree programs in technical areas such Computer Technology, Electronic Technology, Mechanical Technology, Computerized Architectural and Industrial Design Technology, Laser and Fiber Optics Technology, and Telecommunications Technology at Queensborough Community College (QCC). The program leads to the Initial and Professional Certificates valid for teaching specific Career and Technical Education subjects in grades 7 through 12. Students will study most of their subject matter at QCC and focus on pedagogy at New York City Tech where Career and Technical Education is already a well established bachelors degree program. The colleges will be helping to meet the growing need for certified technical teachers in the public schools of New York State.

C. BOROUGH OF MANHATTAN COMMUNITY COLLEGE/JOHN JAY COLLEGE - DUAL/JOINT AS/BS IN ACCOUNTING FOR FORENSIC ACCOUNTING/ECONOMICS:

RESOLVED, That the program in Accounting for Forensic Accounting/Economics leading to the Associate of Science/Bachelor of Science at Borough of Manhattan Community College and John Jay College be approved, effective September 27, 2011, subject to financial ability.

EXPLANATION: Borough of Manhattan Community College (BMCC) and John Jay College of Criminal Justice propose to offer an Associate in Science degree in Accounting for Forensic Accounting as a jointly registered, dual admission program to the existing Bachelor of Science in Economics with specialization in Forensic Financial Analysis at John Jay College of Criminal Justice (John Jay). BMCC will offer the foundation courses in accounting in addition to much of the general education requirements. The collegial nature of the program will facilitate the students' transition to the professional portion of the curriculum offered by John Jay. Recent research conducted by West Virginia University indicates that there is an "...increased demand for entry-level practitioners and professionals who have greater fraud awareness, as well as knowledge and skills related to fraud and forensic accounting..." This program will both create a smooth transition for students from community to senior college as well as lead to direct employment opportunities upon graduation.

D. HOSTOS COMMUNITY COLLEGE - AS IN POLICE SCIENCE:

RESOLVED, That the program in Police Science leading to the Associate of Science degree at Hostos Community College be approved effective September 27, 2011, subject to financial ability.

EXPLANATION: The Associate of Science in Police Science will both prepare students for careers in law enforcement and protective services and also provide an academic foundation for transfer into a four-year program in the discipline. The College has a signed articulation agreement with John Jay College of Criminal Justice. The New York City Police Department, just one avenue for a law enforcement career, requires a minimum of sixty college credits for admission to its academy. This degree however, is not a training program as the coursework consists of a strong general education component as well as professional coursework in areas such as criminology and constitutional law.

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

A. THE CITY COLLEGE OF NEW YORK - NAMING OF MARTY AND MICHELE COHEN WAY:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the newly restored historical entryway that leads to Shepard Hall at The City College of New York as "Marty and Michele Cohen Way."

EXPLANATION: Marty Cohen is a 1970 City College alumnus who has donated more than \$1,000,000 to The City College of New York's 21st Century Foundation. His gifts have been allocated to the President's Fund for Excellence, a discretionary fund used for student support, academic innovation, faculty development and campus quality improvements. In recognition of his generosity, the College requests that the entryway to Shepard Hall be named "Marty and Michele Cohen Way." Mr. Cohen was elected to the City College 21st Century Foundation Board ("the Board") in 2006, inducted into its President's Circle in 2007, and named Chairman of the Board in 2010. City College has recognized Mr. Cohen's achievements and dedication on several occasions. In 2006, he was the recipient of its Alumni Association's highest honor, the Townsend Harris Medal, and in 2009 he was also honored at the Presidential Awards Dinner. A leader in money management and an authority in real estate securities investments, Mr. Cohen is co-chairman and co-CEO of Cohen & Steers, Inc., an investment firm he co-founded in 1986.

B. THE GRADUATE SCHOOL AND UNIVERSITY CENTER - NAMING OF THE MARILYN JACOBS GITTELL PROFESSORSHIP:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Marilyn Jacobs Gittell Professorship at The Graduate Center.

EXPLANATION: Marilyn Jacobs Gittell, who passed away in February 2010, was a long-time member of the doctoral faculty of The Graduate Center and a renowned scholar and highly-respected social activist who wrote extensively on urban politics and the politics of education. Upon her death, her many friends and colleagues resolved to raise sufficient funds to establish a named professorship in her honor. To date, approximately \$2.5 million has been pledged to the Graduate Center Foundation to establish a professorship in Dr. Gittell's name, including major gifts from the SAGE Corporation, a challenge grant from the Gittell family and many gifts made in response to that challenge grant.

C. HOSTOS COMMUNITY COLLEGE - NAMING OF THE VITO MARCANTONIO CONFERENCE ROOM:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of Conference Room B-115 at Hostos Community College as the "Vito Marcantonio Conference Room."

EXPLANATION: Gerald J. Meyer, Professor Emeritus of Hostos Community College, has dedicated many of his scholarly pursuits to documenting and publicizing the life and work of Vito Marcantonio, who served seven terms as Congressman to East Harlem (1932-1950). Marcantonio, a life-long resident of East Harlem, was a protégé of Congressman Fiorello LaGuardia (1922-1932). When LaGuardia was elected Mayor in 1933, Marcantonio began 14 years of service as the district's Congressman. As his mentor had done, Marcantonio distinguished himself as a passionate fighter for all those—in particular immigrants, African Americans and Puerto Ricans—who had been left out of the American dream.

In August 2011, Professor Meyer pledged \$25,000 to the Hostos Community College Foundation. Professor Meyer believes that Marcantonio's accomplishments have not been adequately acknowledged and it is his hope that this gift will help remedy the omission. In acknowledgement of his generous donation and in honor of Congressman Marcantonio's service, Hostos Community College recommends naming Conference Room B-115 in honor of Vito Marcantonio.

D. LEHMAN COLLEGE - AMENDMENT TO THE COLLEGE GOVERNANCE PLAN:

RESOLVED, That the amendment to the Governance Plan of Lehman College be adopted, effective October 1, 2011.

NOTE: New material is underlined; deleted material is struck out.

VI. Student Body

A. Composition

The Student Body of Lehman College shall consist of all matriculated students, and all non-matriculated students

B. Functions

The Student Body shall:

1. elect student representatives to the Lehman College Senate and, upon request, to other bodies and committees;
2. act through referendum in the process of Nullification of Senate Actions and in the procedure for Enactment of Legislation By Referendum.
3. Any student or group of students may make recommendations to the Senate and to any agent, department, committee, or organization of the College.

C. ~~Student Conference~~ Student Legislative Assembly

1. Composition

The student members of the Senate shall constitute the ~~Student Conference~~ Student Legislative Assembly.

2. Functions

- a) Shall provide a forum for discussion of, and taking positions on, College issues;
- b) Shall hold monthly meetings, open to the Lehman College community, to ascertain opinion on matters which are the concern of the Senate.
- c) After consideration by the ~~Student Conference~~ Student Legislative Assembly, any item may be placed on the Agenda of the Senate.

D. Student Governance

An organization to administer student affairs shall be established by student referendum.

EXPLANATION: The proposed amendment to the Governance Plan (“the Plan”) of Lehman College (“Lehman”) is recommended by the College President. It was not adopted by the Lehman College Senate because of the difficulty on two occasions of achieving the requisite high level of participation in the vote needed to pass the amendment. The Plan requires two-thirds of the Senate membership to pass amendments; although sufficient numbers of Senators were not present to satisfy this requirement, on both occasions the Senate passed the amendment by unanimous voice vote.

The only impact of this on the Plan is to change the designation of the student members of the College Senate from “Student Conference” to “Student Legislative Assembly.” This change would be in accord with a referendum approved by the Lehman student body establishing a Student Government Association (“SGA”). The SGA will enhance coordination among student leadership and benefit the student body. The SGA will consist of the Executive Board and the Student Legislative Assembly. The Executive Board will administer student affairs, and the students comprising the Student Legislative Assembly will constitute the student membership in the College Senate.

E. QUEENS COLLEGE – NAMING OF THE ELLEN GRUBER ELEMENTARY & EARLY CHILDHOOD EDUCATION SCHOLARSHIP AWARD AND ELLEN SAUL GRUBER ’64 ELEMENTARY & EARLY CHILDHOOD EDUCATION SEMINAR ROOM:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the “Ellen Gruber Elementary & Early Childhood Education Scholarship Award” and the “Ellen Saul Gruber ’64 Elementary & Early Childhood Education Seminar Room” in Room 106 of Powdermaker Hall at Queens College.

EXPLANATION: In November 2009, Arnold and Ellen Saul Gruber pledged \$98,000 to the Queens College Foundation for the benefit of the Elementary and Early Childhood Education Department and Godwin-Ternbach Museum. This gift includes \$30,000 in cash and pledges to establish the Ellen Gruber Elementary & Early Childhood Scholarship Award Endowment Fund, and \$68,000 in artwork for the Godwin-Ternbach Museum.

The Grubers are long-time supporters of Queens College. Mr. Gruber attended Queens College before transferring to Baruch College, where he got his BBA in 1963. Mrs. Gruber graduated from Queens College with a major in Elementary and Early Childhood Education. Arnold Gruber is a CPA and Managing Partner Emeritus at Marks Paneth & Shron LLP. Mrs. Gruber owned her own party consultant business.

F. QUEENS COLLEGE - NAMING OF THE FORBES I. HILL SCHOLARSHIP ENDOWMENT FUND AND THE FORBES I. HILL LECTURE HALL:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of "The Forbes I. Hill Scholarship Endowment Fund" and "The Forbes I. Hill Lecture Hall," located in Lecture Room 150 of Kiely Hall at Queens College.

EXPLANATION: Before his passing in November 2008, Dr. Forbes I. Hill taught at Queens College for 44 years. During that time his department evolved from the Department of Speech to the Department of Communication Arts and Sciences and, finally, to the Department of Media Studies. Dr. Hill taught courses in the history of rhetoric, argumentation and public speaking as well as political communication and media, law and ethics. His wife, Lyn S. Hill, graduated from Queens College in 1967 with a Bachelor of Arts degree in Communication Arts and Sciences and taught at Queens College with her husband.

Mrs. Hill, and the Hills' children, Harry Hill, Stephanie Hill Wilchfort and Timothy E. Hill, have donated \$100,000 to the Queens College Foundation to establish the Forbes I. Hill Scholarship Endowment Fund, which will provide scholarships to students majoring in Media Studies. The College therefore recommends naming Kiely Lecture Hall 150 in recognition and memory of Dr. Hill.

G. QUEENS COLLEGE - NAMING OF THE RUTH GORDON NORMAN MEMORIAL SCHOLARSHIP ENDOWMENT:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of a memorial scholarship endowment at Queens College as "The Ruth Gordon Norman Memorial Scholarship Endowment."

EXPLANATION: Ruth Gordon Norman, who passed away in 2010, was the first African-American member of the Queens College Girls' Basketball Team. She graduated from Queens College in 1948 with a bachelor's degree in Political Science. Mrs. Norman met her husband, Dr. Calvin H. Norman, Jr., while they were students at Queens College.

The Norman Family has donated \$145,000 to the Queens College Foundation to establish the Ruth Gordon Norman Memorial Scholarship Endowment Fund. The endowment will support scholarships to incoming freshmen with a minimum GPA of 2.5 at the time of admission who maintain a minimum 3.0 GPA throughout their enrollment at Queens College.

H. THE CITY UNIVERSITY OF NEW YORK - AMENDED CAMPUS AND WORKPLACE VIOLENCE PREVENTION POLICY:

RESOLVED, That the Campus and Workplace Violence Prevention Policy of The City University of New York, adopted effective February 28, 2011, be and is hereby amended.

NOTE: New material is underlined; deleted material is struck out.

**THE CITY UNIVERSITY OF NEW YORK
CAMPUS AND WORKPLACE VIOLENCE PREVENTION POLICY**

POLICY STATEMENT¹

The City University of New York (the "University" or "CUNY") is committed to the prevention of workplace violence and will respond promptly to any threats and/or acts of violence. For purposes of this Policy, Workplace

¹ This document supersedes and replaces *The City University of New York Workplace Campus and Workplace Violence Prevention Policy and Procedures* (*"Policy and Procedures"*) approved by The City University of New York Board of Trustees on ~~June-February 28~~²⁸, 2011⁰⁴, and updated on July 13, 2004.

Violence is defined as any physical assault or acts of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to:

- (i) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- (ii) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- (iii) Intentional and wrongful physical contact with an employee without his or her consent that entails some injury;
- (iv) Stalking an employee in a manner which may cause the employee to fear for his or her physical safety and health when such stalking has arisen through and in the course of employment.

Workplace Violence presents a serious occupational safety hazard to CUNY and its employees. The University will respond promptly to threats and/or acts of violence. All employees are responsible for helping to create an environment of mutual respect and for assisting in maintaining a safe and secure work environment and will participate in the annual Workplace Violence Prevention Training Program. Individuals who violate this Policy may be removed from University property and are subject to disciplinary and/or personnel action up to and including termination, consistent with University policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution.

~~Incidents~~ ~~Complaints~~ involving Workplace Violence will ~~not be ignored and will~~ be given the serious attention they deserve.² Employees are responsible for reporting any incidents of Workplace Violence of which they become aware. The procedure for reporting incidents of suspected or alleged Workplace Violence can be found in the campus specific Workplace Violence Prevention Programs at Paragraph 7. The procedure for reporting complaints of a potential violation of the CUNY Workplace Violence Prevention Policy and Programs can be found in the campus specific Workplace Violence Prevention Programs at Paragraph 9. ~~Such reports should be made to the employee's immediate supervisor or the Director of Public Safety on their campus.~~

The University, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee or student on University property unless necessary to transact University-related business. This policy particularly applies when an employee or student anticipates that an act of violence may result from an encounter with said individual(s).³

Employee participation in the implementation of this Policy will be provided through their authorized employee representatives, who will be invited to participate in:

- (1) ~~scheduled the annual~~ physical risk assessment site evaluation(s) to determine the presence of risk factors which may place employees at risk of workplace violence; (2) the development and annual review of a Workplace Violence Prevention Program promulgated by each College for the implementation of the Policy; (3) the annual review of the *Campus Workplace Violence Incidents Report* prepared annually by each College; and (4) as appropriate, following a serious incident of Workplace Violence.

EXPLANATION: New York State Labor Law, Article 2, Section 27-b enacted on March 4, 2007, also known as the Workplace Violence Prevention Law, requires that all New York State agencies (defined broadly to include CUNY) adopt a workplace violence policy by May 29, 2009, in accordance with the rules and regulations established pursuant to the Workplace Violence Prevention Law by the State Department of Labor, Bureau of Public Employee Safety & Health. These rules and regulations are codified at 12 NYCRR Part 800.6. The policy sets forth the duties and obligations of CUNY and its employees relative to issues of workplace violence.

² Complaints of sexual harassment are covered under the University's *Policy Against Sexual Harassment*.

³ Students are not directly covered by this Policy, but they should contact the Department of Public Safety to report concerns about workplace violence.

In connection with an enforcement investigation commenced by The New York State Department of Labor, Bureau of Public Employee Safety and Health (PESH), PESH has recommended that CUNY amend its existing policy to include specific references to the provisions of the Campus Workplace Violence Prevention Programs relating to the reporting of incidents of suspected workplace violence and for the filing of complaints against CUNY for violations of the Workplace Violence Prevention Law and CUNY's own Campus and Workplace Violence Prevention Policy and Programs.

I. LAGUARDIA COMMUNITY COLLEGE - NAMING OF THE SERPHIN R. MALTESE ACADEMIC HALL:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the "Serphin R. Maltese Academic Hall," located on the 4th Floor of LaGuardia Community College's C-Building.

EXPLANATION: Serphin R. Maltese is a former New York State Senator who represented New York's 15th State Senate District, located in southern and central Queens, for 20 years. During his tenure, he authored 219 bills that were signed into law. Senator Maltese's support of his constituents is also reflected in his maintenance of an official 100% attendance record throughout his 20 years of Senate service.

Born in Corona, Queens to Italian immigrants, Senator Maltese graduated from P.S. 63, JHS 64 and Stuyvesant High School. After his military service, he went to Manhattan College on a Regents Scholarship and the G.I. Bill, where he received a Bachelor of Arts degree. He was awarded a War Service Scholarship and received his LL.B. and J.D. degrees from Fordham University Law School, and was admitted to the New York State Bar in 1963. He is an Army Infantry Veteran of the Korean War, previously serving in the Marine Corps Reserves. He is a life member of the American Legion, Catholic War Veterans, Korean War Veteran's Association and a life member of the Veterans of Foreign Wars. Currently, Senator Maltese serves as Chairman of the Board of Trustees of Christ the King Regional High School in Queens.

Senator Maltese has been an exceptional supporter of higher education. Since 2002, Senator Maltese has been a primary sponsor of state appropriations for LaGuardia Community College, securing over \$50 million dollars in state capital funding for building renovations and elevator refurbishment, as well as for the creation of computer labs and space for departmental and faculty offices. Senator Maltese's appropriations funded the creation of a comprehensive laboratory for the College's Program for Deaf Adults.

The Senator is a recipient of LaGuardia's President's Medal that is awarded annually at commencement to distinguished advocates of higher education.

J. (ADDED ITEM) THE CITY UNIVERSITY OF NEW YORK - NAMING OF THE HIMAN BROWN TV AND RADIO STUDIO AT CUNY-TV:

RESOLVED, That the Board of Trustees approve the naming of the studios at CUNY-TV as the Himan Brown TV and Radio Studio at CUNY-TV.

EXPLANATION: Himan Brown, who died in 2010, was a graduate of Brooklyn College. He was a talented and successful producer, director, writer and actor during the golden age of radio. During his 65 year career, he produced more than 30,000 radio shows including such series as Inner Sanctum Mysteries, CBS Radio Mystery Theatre, Flash Gordon, Dick Tracey, The Thin Man, Grand Central Station and Bulldog Drummond. He directed actors like Orson Welles, Helen Hayes, Boris Karloff, Peter Lorre, Frank Sinatra and Marion Seldes. He received a Peabody Award and the American Broadcasting Pioneer Award and was inducted into The Radio Hall of Fame. He was a member of the CUNY-TV Advisory Board for nearly a decade. Mr. Brown was the founder of Radio Drama Network, Inc., which has pledged a gift of \$4 million dollars – of which \$2 million will be paid immediately and the remaining \$2 million over two years – to the CUNY-TV Foundation, which will hold the Himan Brown archives, digitize them and produce shows using materials in the archives. The gift agreement shall be reviewed and approved by the University's General Counsel.

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

A. BROOKLYN COLLEGE - MASTER PLAN AMENDMENT:

RESOLVED, That the Board of Trustees of The City University of New York approve an Amendment to the Brooklyn College Master Plan, which has been developed to accommodate the anticipated needs of the College.

EXPLANATION: In 1995, the Board of Trustees of the City University of New York approved a Master Plan for Brooklyn College. This Amendment to that Master Plan proposes strategies to address the College's anticipated growth and the need to modernize facilities on campus to provide adequate instructional space and student support services.

Brooklyn College is one of the City University of New York's (CUNY) eleven senior colleges. The College was established in 1930 when the NYC Board of Higher Education combined the City College branch for Evening Sessions at the Boys High School in Bedford-Stuyvesant and the Hunter College Brooklyn branch for women, forming its third four-year college. Its first offices were housed at 383 Pearl Street and classes were held in rented space near Borough Hall.

In 1934, a handshake between President Franklin D. Roosevelt and New York City Mayor Fiorello H. LaGuardia provided financial resources to purchase the present site from Woods Harmon Developers. Randolph Evans, with the firm Corbett Harrison & Mac Murray, designed the original five red brick Georgian buildings. The construction was financed by the Federal Emergency Administration for Public Works and construction took just over two years. The College opened on October 18, 1937.

Brooklyn College is currently situated on 37 acres in the Midwood section of Brooklyn. It is bounded by Ocean Avenue on the west, the Long Island Railroad on the south, Campus Road on the north, and Amsfort Place and Campus Road on the east. Bedford Avenue divides the campus into two sections. Today there are approximately 2,266,000 gross sq feet (GSF) and 1,375,589 net assignable square feet (NASF) held in 13 buildings. It is a commuter school serving students from all parts of New York City, who routinely travel by public transportation. Brooklyn College was named the most beautiful campus by the Princeton Review in 2003 and remained in the top five in 2004.

Based on the Fall 2010 enrollment of 12,385 full-time equivalent students (FTES), the College has a current space need of 1,349,571 NASF when benchmarked against similar four-year institutions. The current conditions represent a space surplus of 26,018 NASF.

This Master Plan Amendment is based on a projected 2020 college enrollment of 16,942 FTES, requiring a total of 1,464,755 NASF. The projected conditions represent a deficit of 89,166 NASF (160,500 GSF). However, the actual amount of square footage needed to be constructed is considerably more in order to replace proposed demolitions. Roosevelt Hall/Roosevelt Extension is slated for immediate (within 2-3 years) demolition, followed by the WEB building at a date still to be determined. Together, these two buildings account for approximately 200,000 NASF of the existing 1,375,589 NASF. Therefore, in order to meet the space needs of 2020, approximately 400,000 GSF of new construction will be required.

To meet this projected space need, the Master Plan Amendment calls for new construction and the renovation of existing facilities.

The design firm, Pfeiffer Partners, was selected in Spring of 2009 and the project began on October 26, 2009.

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. COLLEGE OF STATEN ISLAND - RESIDENCE HALL :

RESOLVED, That the Board of Trustees of the City University of New York request the Dormitory Authority of the State of New York to enter into a ground lease with The College of Staten Island Auxiliary Services Corporation, Inc. or a subsidiary thereof for the leasing of a parcel of property on the campus of the College of Staten Island to allow for the construction of a student housing facility of approximately 458 beds thereon (the "Project"); and be it further

RESOLVED, That the Board of Trustees of the City University of New York agrees to provide credit support for a proposed facility 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; and be it further

RESOLVED, That the Board of Trustees of the City University of New York authorize the General Counsel to negotiate, approve as to form, and execute agreements among The College of Staten Island Auxiliary Services Corporation, Inc. or a subsidiary thereof, American Campus Communities Operating Partnership LP, ACC SC Development LLC, and any other necessary parties, and the City University of New York, for development services and for the subsequent management and operation of the residence facility on the campus of the College of Staten Island.

EXPLANATION: The Chancellor and the College President have determined that providing a residence facility on the College of Staten Island campus would promote and enhance the educational mission of the college and university. After completing a demand analysis, CUNY issued a Request for Proposals seeking proposals from experienced dormitory development/management firms to finance, develop and operate - on a self supporting basis - a 3 building, 600 bed campus residence on an approximately 8.6 acre campus site located in the west part of the North Campus, north of Building 3N and west of Building 4N, now used for basketball and handball courts (which will be relocated to other campus sites). 3 firms responded to the RFP, 2 were interviewed by a committee of central office and college representatives and American Campus Communities ("ACC") was selected for the development and management of the residence. The project was delayed in 2008 due to poor market conditions and has been on hold. (Approved by resolution adopted June 23, 2008, Cal No. 6C.)

Market conditions have improved and interest rates have fallen to a point that it will now be possible to finance the project. However, it is not possible to do so on a "non-recourse" basis and CUNY will need to provide credit support in the form of the Guarantees. It is anticipated that lease payments by students and faculty will cover the cost of servicing the bonds and operating the facility. Only in the event that all of these sources of funds are insufficient will CUNY be liable under the Guarantees.

In order to advance the project and minimize any risk to CUNY, the Office of Facilities Planning, Construction, and Management has negotiated an arrangement as follows: Only a first phase of the project (2 of the 3 proposed buildings) will be implemented at this time reducing the bed count from 600 to 458, require the CSI Auxiliary Services Corp. and / or the CSI Foundation to commit \$1.6 million and ACC to commit \$5.0 million (secured by a bank letter of credit) to provide a total of \$6.6 million which would be used to fund any revenue shortfall prior to any support payments from CUNY. With these provisions in place, the risk of providing any payments from CUNY is minimal.

The deal structure is as follows: The Dormitory Authority will lease the proposed site to the CSI Auxiliary Services Corporation, Inc. or a subsidiary thereof, which in turn, with CUNY's approval and/or participation, will enter into separate development and management agreements with ACC and its related entities. The CSI Auxiliary Services

Corporation, Inc. or a subsidiary thereof, as owner/borrower, will enter into a loan agreement with a lender which will issue long term tax exempt bonds to finance the project. ACC (pursuant to its development agreement with the CSI Auxiliary Services Corporation, Inc. or a subsidiary thereof) will use the bond proceeds to engage architects, contractors, furniture suppliers, etc. to design, construct and furnish the building. When construction of the building is completed, an affiliate of ACC (pursuant to its management agreement) will collect rents, will operate the facility and will accrue reserves for future repairs.

It is currently estimated that the project will provide 458 student, staff and faculty beds in 2 buildings of about 170,000 square feet. It is expected to contain primarily 4 bedroom/ 2 bath units and 3 bedroom/ 2 bath units to house undergraduate students. It will also offer one bedroom and studio units for graduate and resident assistant students and several faculty/staff apartments. Multiple common spaces will be provided within the building including private and open study lounges, a laundry room, cafe, multi-purpose space and a fitness center. The total construction cost is estimated at approximately \$53 million and a bond issue is anticipated at approximately \$70 million (to include design and other fees, construction supervision, required reserves, financing costs, etc.). It is anticipated the financing will be completed later this year and construction will be completed for a summer 2013 opening.

NO. 7. EXECUTIVE COMMITTEE: Notice of Action Taken at the Committee's July 21, 2011 meeting is appended for informational purposes only. This resolution was adopted at the Board of Trustees Special Board Meeting on August 3, 2011.

A. THE CITY UNIVERSITY OF NEW YORK - REVISED TUITION SCHEDULE EFFECTIVE FALL 2011:

RESOLVED, That effective fall 2011, the Board of Trustees of The City University of New York adopts a revised schedule of student tuition that includes a \$300 increase over current rates (spring 2011) for all full-time undergraduate resident students, and a proportional increase in graduate, doctoral, nonresident and per credit rates at both the senior and community colleges; except for the masters in public administration and doctor of nursing practice programs for which such increase is assessed on the new tuition rates previously approved for those programs by the Board of Trustees effective fall 2011, as reflected in the attached schedule.

On a per semester basis, these include the following increases:

\$150 for full-time undergraduate resident students at senior colleges,

\$150 for full-time undergraduate resident students at community colleges,

\$335 for full-time law school resident students,

\$240 for full-time graduate resident students except for the following:

\$355 for full-time masters in business administration resident students,

\$280 for full-time masters in architecture resident students,

\$280 for full-time masters in engineering resident students,

\$265 for full-time masters in physical therapy resident students,

\$315 for full-time masters in social work resident students,

\$275 for full-time masters in public administration resident students,

\$215 for full-time doctoral resident students except for the following:

\$315 for full-time doctor of nursing practice resident students.

And be it further

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

EXPLANATION: In June 2011, the State of New York enacted legislation authorizing CUNY to implement a rational tuition policy by increasing its tuition up to \$300 annually for the next five years (through fiscal year 2015-2016) for full-time undergraduate resident students, beginning with the fall 2011 semester. While overall senior college full-time equivalent enrollments have increased by 10.7% over the last three years, the University's operating budget sustained reductions totaling \$205 million during that same period. In addition, the FY2012 State enacted budget contains an additional \$95 million in reductions to the senior colleges, for a total of \$300 million. State base aid at the community colleges has been reduced over 20% over the last four years; the FY2012 City adopted budget also includes reductions for the community colleges. Therefore, in order to maintain and further strengthen academic quality and student support services, the recommended increases are necessary. The new State legislation requires that a tuition credit be given to those students who are eligible for the state Tuition Assistance Program when the annual tuition exceeds \$5,000. A portion of the revenues generated from the increased rates will be set-aside for financial aid purposes.

Proposed Tuition Schedule Fall 2011

Senior Colleges

Undergraduate	Resident Students	Non-resident Students
Full-time	\$2,565 per Semester	\$460 per Credit
Part-time	\$215 per Credit	\$460 per Credit
Non-Degree	\$320 per Credit	\$680 per Credit

Masters Students including the Graduate School

Full-time	\$4,105 per Semester	\$640 per Credit
Part-time	\$345 per Credit	\$640 per Credit
Maintenance of Matriculation	\$170 per Semester	\$280 per Semester

Other Masters Program

Baruch	Masters in Business Administration		
	Full-time	\$6,030 per Semester	\$820 per Credit
	Part-time	\$545 per Credit	\$820 per Credit
City	Masters in Architecture		
	Masters in Engineering		
	Full-time	\$4,810 per Semester	\$710 per Credit
	Part-time	\$405 per Credit	\$710 per Credit
Hunter	Masters in Social Work		
Lehman	Full-time	\$5,425 per Semester	\$730 per Credit
	Part-time	\$460 per Credit	\$730 per Credit
Hunter	Masters in Physical Therapy		
CSI	Full-time	\$4,490 per Semester	\$670 per Credit
	Part-time	\$365 per Credit	\$670 per Credit
Baruch	Masters in Public Administration		
City			

John Jay

Full-time	\$4,720 per Semester	\$740 per Credit
Part-time	\$400 per Credit	\$740 per Credit

Doctoral Students

Level I Full-time	\$3,670 per Semester	\$715 per Credit
Level I (per credit)	\$415 per Credit	\$715 per Credit
Level II	\$2,300 per Semester	\$5,110 per Semester
Level III	\$910 per Semester	\$1,820 per Semester

Doctor of Nursing Practice

Level I Full-time	\$5,425 per Semester	\$730 per Credit
Level I (per credit)	\$460 per Credit	\$730 per Credit
Level II	\$5,425 per Semester	\$730 per Credit
Level III	\$5,425 per Semester	\$730 per Credit

Law School

Full-time	\$5,710 per Semester	\$9,490 per Semester
Part-time	\$475 per Credit	\$795 per Credit

Community Colleges**Undergraduate****Resident Students****Non-resident Students**

Full-time	\$1,800 per Semester	\$240 per Credit
Part-time	\$150 per Credit	\$240 per Credit
Non-Degree	\$205 per Credit	\$320 per Credit