

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

**REVISED
CALENDAR**

JUNE 25, 2012

NO. 1. CHANCELLOR'S UNIVERSITY REPORT: RESOLVED, That the Chancellor's University Report for June 25, 2012 (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 and Executive Session of April 30, 2012 be approved.

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

A. THE CITY UNIVERSITY OF NEW YORK - AWARD OF UNIVERSITY-WIDE POURING RIGHTS AND BEVERAGE VENDING SERVICES AGREEMENT BY REQUEST FOR PROPOSALS:

RESOLVED, That the Board of Trustees of The City University of New York authorize the University to choose a beverage manufacturer to be the exclusive provider of soft drinks, teas, waters, juices and certain other beverages to the University (i.e., "pouring rights"), in exchange for the payment of royalties and other valuable consideration to the University and college related entities. At the University's option, such beverage manufacturer also may be granted the right to operate beverage vending machines at some or all of the colleges and the Central Office, in exchange for a commission on sales. The beverage manufacturer shall be a responsive and responsible offeror chosen on the basis of best value after public advertisement and timely submission of sealed proposals through a Request for Proposal solicitation and evaluation process conducted by the University pursuant to law and University Regulations. The term of the contract(s) resulting from the solicitation process shall be either five or ten years, without renewals, as determined in the best interest of the University. The contract(s) may be executed by the University and/or college auxiliary enterprise corporations, and shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: At present, the auxiliary enterprise corporations at most CUNY colleges have entered into pouring rights agreements with beverage manufacturers to be the exclusive provider of soft drinks, teas, waters, juices and certain other beverages on their campuses. To provide greater efficiencies and maximize the funds generated for college and University purposes, the University would like to replace the current agreements, which involve different beverage manufacturers, with a grant of pouring rights to a single manufacturer for the University as a whole. This arrangement will not involve the expenditure of any tax levy revenues. It is expected that the exclusive nature of the contract(s), along with rights to the entire University, will provide higher revenues for each of colleges and the Central Office than do the current, individually negotiated agreements. In the event that it does not, no contracts will be executed.

B. THE CITY UNIVERSITY OF NEW YORK - UNIVERSITY-WIDE REQUIREMENTS CONTRACTS FOR MAINTENANCE COMMODITIES:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute contracts on behalf of the University to purchase cleaning, maintenance, and paper products. Purchases will be made pursuant to law and University Regulations through the most appropriate procurement method for each product, either from: a preferred source without competitive bidding through New York State Finance Law Section 162; the lowest responsive and responsible bidder under existing State of New York Office of General Service contracts; the lowest responsive and responsible bidder after public advertisement and sealed bidding by the University; or the responsive

and responsible offerer offering the best value after public advertisement of a request for proposals. The contract shall be available for use by the constituent colleges, and the total estimated annual cost shall not exceed \$6,000,000 per fiscal year, chargeable to the FAS codes for each college. The contract term shall be five (5) years, from January 2013 through December 2017. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Currently, Colleges buy a range of commodities at different prices through individual agreements. University-wide contracts for these commodities will maximize the buying power of the University and provide standard products and prices for all of the Colleges. All Colleges will use these requirements contracts to order these commodities for maintenance of the Colleges' facilities.

C. THE CITY UNIVERSITY OF NEW YORK - DISCONTINUATION OF THE UNIVERSITY'S ACCELERATED STUDY FEE:

RESOLVED, That the Board of Trustees of The City University of New York authorize the discontinuation of the University's Accelerated Study Fee.

EXPLANATION: The Board of Trustees, at its January 27, 1992 meeting, approved a fee structure for accelerated study effective with the Spring, 1992 semester. The fee applies to all undergraduate degree students (and Law students) excluding non-residents, registered for credits beyond the established college limits of 18 credits per semester, except in programs where more than 18 credits are currently part of a semester's regular course of study, or with the approval of the President during the semester in which a student is about to graduate. The college must notify the Vice Chancellor for Budget and Finance regarding those programs where more than 18 credits are part of the semester's regular course load. In those cases involving presidential approval for graduating students, the college must establish a formal waiver process and disseminate the information to students. This fee does not apply to non-degree students, as well as undergraduate non-residents, who pay on a per credit basis regardless of the number of credits for which they register. The fee (depending upon the numbers of credits in excess of 18) varies from \$100 to \$690. The application of this fee has been an increasing administrative burden over the years. It continues to place greater responsibility for an academic counseling matter on fiscal administrators by applying a fee for taking additional courses which disadvantages many students with limited financial resources. Best practices include the following as requirements for taking a semester course load in excess of 18 credits: college guidelines for appropriate prior credit accumulation and prior grade point average and/or approval of an academic advisor. The application of this fee results in a minimal amount of revenue University-wide. Discontinuation of the fee also has the support of the University's Office of Academic Affairs.

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

A. THE CITY UNIVERSITY OF NEW YORK - 2012-2016 MASTER PLAN:

RESOLVED, That the master plan of The City University of New York, be approved effective June 26, 2012, subject to financial ability.

EXPLANATION: Every four years the Board of Regents of the Department of Education of the State of New York requires CUNY to submit a master plan for the following four years. This plan articulates the wide reaching goals of the university for that period and the implementation process for those goals.

B. NEW YORK CITY COLLEGE OF TECHNOLOGY - B.TECH IN ELECTRICAL ENGINEERING TECHNOLOGY:

RESOLVED, That the program in Electrical Engineering Technology leading to the Bachelor of Technology at New York City College of Technology, be approved effective June 26, 2012, subject to financial ability.

EXPLANATION: This proposal is for a degree completion program for students already holding an associate's degree in a related field, including students at City Tech. The program will provide graduates with the theory and skills needed to

understand the latest technology and to assist in the design, development, testing and manufacturing of electrical and electronic equipment for a wide variety of industries and applications, including new technologies such as wind, solar and nano-technologies. The college expects the program to be accredited by the Accreditation Board for Engineering and Technology.

C. QUEENSBOROUGH COMMUNITY COLLEGE - CLOSING OF THE DEPARTMENT OF MECHANICAL ENGINEERING AND DESIGN DRAFTING:

RESOLVED, That the Department of Mechanical Engineering and Design Drafting at Queensborough Community College be abolished effective June 26, 2012.

EXPLANATION: The closing of this department does not mean that the college will no longer offer mechanical engineering or design drafting curricula. The faculty of the Department of Electrical and Computer Engineering Technology voted to accept the addition of the faculty and curriculum of this department into their own. These are two relatively small academic departments in related fields of study. Combining them makes sense both academically and managerially. In addition, the chair of the Department of Mechanical Engineering Technology and Design Drafting is on medical leave and does not wish to continue as the chair of the department nor do any other eligible faculty members. The urgency of an imminent Engineering Technology Accreditation Commission reaccreditation process in 2012-2013 requires solid department leadership and stability. The resolution to combine the two technology departments is backed unanimously by faculty and administration alike.

A separate resolution regarding transfer of the current members of the Mechanical Engineering Technology and Design Drafting to the department of Electrical and Computer Engineering Technology has been submitted for the FSA agenda. A resolution renaming the Department of Electrical and Computer Engineering Technology as the Department of Engineering Technology has been submitted to the Chancellor's University Report.

D. GRADUATE SCHOOL AND UNIVERSITY CENTER - INSTITUTE FOR LANGUAGE EDUCATION IN TRANSCULTURAL CONTEXT:

RESOLVED, That the Institute for Language Education in Transcultural Context, to be housed at the Graduate School and University Center, be established effective June 26, 2012 subject to financial ability.

EXPLANATION: CUNY'S distinct advantage as the nation's largest urban public university affords it the opportunity to leverage itself as a national center for the study of world languages and cultures at both our senior and community colleges. Among other activities, the Institute would fulfill its mission by collecting data on the teaching of languages other than English; conducting research into the development of translingual and transcultural communication; identifying strategic languages and campuses for the development of academic programs, including summer institutes, language immersion, study abroad and on-line education, and by forging alliances with K-12 institutions.

E. HUNTER COLLEGE - CUNY INSTITUTE FOR EDUCATION POLICY AT ROOSEVELT HOUSE:

RESOLVED, That the CUNY Institute for Education Policy at Roosevelt House be established at Hunter College, effective June 26 2012, subject to financial ability.

EXPLANATION: The Institute is designed to become a major resource for CUNY as the focal point for the discussion and dissemination of the most critical issues in K-20 education policy. Non-aligned and non-partisan, the Institute will provide a platform for policy-makers, scholars, practitioners, and the media to exchange ideas, research, and reform agendas through conferences, panels, visiting lecturers, seminars, and digital publications. The Institute will become recognized as the New York City location for high-level debate about the most important education policy choices facing the nation, and will establish itself as a trusted source of research and opinion on the multiple educational issues facing the nation.

F. GRADUATE SCHOOL AND UNIVERSITY CENTER – PHD IN NURSING:

RESOLVED, That the program in Nursing Science leading to the Doctor of Nursing Science at the Graduate School and University Center be converted to a program awarding the Doctor of Philosophy in Nursing, effective June 26, 2012, subject to financial ability.

EXPLANATION: Currently, students graduating from the Graduate School and University Center's doctoral program in Nursing Science are awarded the Doctor of Nursing Science (DNS). When the Graduate School began offering a terminal degree in Nursing in 2006, the decision to award the DNS rather than the PhD was made primarily because the other health sciences doctoral degrees awarded by the Graduate School were either clinical outcomes focused research degrees, which aptly describes the DNS as well as the Doctor of Public Health, or practice doctorates such as the Doctor of Audiology and the Doctor of Physical Therapy; there were no PhD degrees in health sciences. However, nationally, over time, the distinctions between the PhD in Nursing and the DNS have eroded and universities across the nation, including CUNY, have begun to offer the practice doctorate in nursing, that is, the Doctor of Nursing Practice (DNP), for individuals seeking careers as Nurse Practitioners. Between 2008-2010 six DNS programs across the country have converted to the PhD and only four DNS programs, including CUNY's, remain. By means of minor curricular changes in the DNS curriculum, CUNY faculty are strengthening the students' preparation to conduct more theoretical research, as is appropriate for a PhD degree. For all of these reasons, CUNY should make the transition from a DNS to a PhD in Nursing degree.

G. COLLEGE OF STATEN ISLAND - DPT IN PHYSICAL THERAPY:

RESOLVED, That the program in Physical Therapy leading to the Doctor of Physical Therapy at the College of Staten Island be approved, effective June 26, 2012, subject to financial ability; and be it further

RESOLVED, That the Board of Trustees requests that the New York State Board of Regents amend the Master Plan of the College of Staten Island so as to permit the College to offer the above-cited program leading to the DPT.

EXPLANATION: Currently the degree granting authority for the DPT is held by the Graduate School and University Center, although students opt to study at either The College of Staten Island or Hunter College. Each of these colleges has been operating its accredited program independently for quite some time. Despite the fact that the Graduate Center awards the degrees for students studying at both of these colleges, The Commission on Accreditation in Physical Therapy Education has been recognizing and accrediting these as two distinct programs. We are now formally recognizing what has been the structure in practice for a long time. Since The College of Staten Island is currently not authorized to award doctoral degrees, the University is required to request of the New York State Board of Regents that the Master Plan for CSI be amended to include the granting of doctoral degrees.

H. HUNTER COLLEGE - DPT IN PHYSICAL THERAPY:

RESOLVED, That the program in Physical Therapy leading to the Doctor of Physical Therapy at Hunter College be approved, effective June 26, 2012, subject to financial ability.

EXPLANATION: Currently the degree granting authority for the DPT is held by the Graduate School and University Center, although students opt to study at either Hunter College or The College of Staten Island. Each of these colleges has been operating its accredited program independently for quite some time. The Commission on Accreditation in Physical Therapy Education recognizes and accredits two distinct programs despite the fact that the Graduate Center awards the degrees for students studying at both of these colleges. We are now formally recognizing what has been the structure in practice for a long time.

**THE CITY UNIVERSITY OF NEW YORK
POLICY ON ACCEPTABLE USE OF COMPUTER RESOURCES**

I. INTRODUCTION

CUNY's computer resources are dedicated to the support of the University's mission of education, research and public service. In furtherance of this mission, CUNY respects, upholds and endeavors to safeguard the principles of academic freedom, freedom of expression and freedom of inquiry.

CUNY recognizes that there is a concern among the University community that because information created, used, transmitted or stored in electronic form is by its nature susceptible to disclosure, invasion, loss, and similar risks, electronic communications and transactions will be particularly vulnerable to infringements of academic freedom. CUNY's commitment to the principles of academic freedom and freedom of expression includes electronic information. Therefore, whenever possible, CUNY will resolve doubts about the need to access CUNY Computer Resources in favor of a User's privacy interest.

However, the use of CUNY Computer Resources, including for electronic transactions and communications, like the use of other University-provided resources and activities, is subject to the requirements of legal and ethical behavior. This policy is intended to support the free exchange of ideas among members of the CUNY community and between the CUNY community and other communities, while recognizing the responsibilities and limitations associated with such exchange.

II. APPLICABILITY

This policy applies to all Users of CUNY Computer Resources, as defined in Article III below.

This policy supersedes the CUNY policy titled "CUNY Computer User Responsibilities" and any college policies that are inconsistent with this policy.

III. DEFINITIONS

1. "CUNY Computer Resources" refers to all computer and information technology hardware, software, data, access and other resources owned, operated, or contracted by CUNY. This includes, but is not limited to, desktop and laptop computers, handheld devices that allow or are capable of storing and transmitting information (e.g., cell phones, tablets), mainframes, minicomputers, servers, network facilities, databases, memory, memory sticks, and associated peripherals and software, and the applications they support, such as e-mail, cloud computing applications, and access to the internet.
2. "E-mail" includes point-to-point messages, postings to newsgroups and listservs, and other electronic messages involving computers and computer networks.
3. "Faculty" includes full-time, part-time, and adjunct faculty.
4. "FOIL" is the New York State Freedom of Information Law.
5. "Non-Public University Information" has the meaning set forth in CUNY's IT Security Policies and Procedures found at security.cuny.edu, namely: personally identifiable information (such as an individual's Social Security Number; driver's license number or non-driver identification card number; account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account; personal electronic mail address; Internet identification name or password; and parent's surname prior to marriage); information in student education records that is protected under the Family Educational Rights and Privacy Act of 1974 (FERPA) and the related regulations set forth in 34 CFR Part 99; other information relating to the administrative, business, and academic activities and operations of the University (including employee evaluations, employee home addresses and telephone numbers, and other employee records that should be treated confidentially); and any other information available in University files and systems that by its nature should be treated confidentially.
6. "User" means a user of CUNY Computer Resources, including all current and former users, whether affiliated with CUNY or not, and whether accessing those resources on a CUNY campus or remotely.

IV. RULES FOR USE OF CUNY COMPUTER RESOURCES

1. Authorization.

- a. Users may not access a CUNY Computer Resource without authorization or use it for purposes beyond the scope of authorization. This includes attempting to circumvent CUNY Computer Resource system protection facilities by hacking, cracking or similar activities, accessing or using another person's computer account, and allowing another person to access or use the User's account.
- b. Notwithstanding subsection 1.a. above, a User may authorize a colleague or clerical assistant to access information under the User's account on the User's behalf while away from a CUNY campus or when the User is unable to efficiently access the information on the User's own behalf (including as a result of a disability), but delegated access will be subject to the rules of Section 10 – Security, below.
- c. CUNY Computer Resources may not be used to gain unauthorized access to another computer system within or outside of CUNY. Users are responsible for all actions performed from their computer account that they permitted or failed to prevent by following ordinary security precautions. CUNY advisories and resources are available at security.cuny.edu.

2. Purpose.

- a. Use of CUNY Computer Resources is limited to activities relating to the performance by CUNY employees of their duties and responsibilities and by students in connection with their college courses and activities. For example, use of CUNY Computer Resources for private commercial or not-for-profit business purposes, for private advertising of products or services, or for any activity meant solely to foster personal gain, is prohibited. Similarly, use of CUNY Computer Resources for partisan political activity is also prohibited.
- b. Except with respect to CUNY employees other than faculty, where a supervisor has prohibited it in writing, incidental personal use of CUNY Computer Resources is permitted so long as such use does not interfere with CUNY operations, does not compromise the functioning of CUNY Computer Resources, does not interfere with the User's employment or other obligations to CUNY, and is otherwise in compliance with this policy, including subsection 2.a. above. Users should be aware that personal messages, data and other information sent or received through a User's CUNY account or otherwise residing in a CUNY Computer Resource are subject to CUNY review pursuant to Section 13 of this policy and may also be subject to public disclosure pursuant to FOIL.

3. Compliance with Law.

- a. CUNY Computer Resources may not be used for any purpose or in any manner that violates CUNY rules, regulations or policies, or federal, state or local law. Users who engage in electronic communications with persons in other states or countries or on other systems or networks may also be subject to the laws of those other states and countries, and the rules and policies of those other systems and networks. Users are responsible for ascertaining, understanding, and complying with the laws, rules, policies, contracts, and licenses applicable to their particular use.
- b. Examples of applicable federal and state laws include those addressing defamation, invasion of privacy, obscenity and child pornography, and online gambling, as well as the following:
 - Computer Fraud and Abuse Act
 - Copyright Act of 1976
 - Electronic Communications Privacy Act
 - Export control regulations issued by the U.S. Departments of Commerce, State and Treasury
 - Family Educational Rights and Privacy Act
 - FOIL
 - New York State Law with respect to the confidentiality of library records
- c. Examples of applicable CUNY rules and policies include those listed below. Other rules and policies may be found in the Manual of General Policy and on the CUNY Legal Affairs website:
 - Gramm-Leach-Bliley Information Security Program
 - IT Security Policies & Procedures
 - Policy on Maintenance of Public Order (the "Henderson Rules")
 - Sexual Harassment Policy
 - University Policy on Academic Integrity
 - Web Site Privacy Policy

4. Licenses and Intellectual Property.

- a. Users may use only legally obtained, licensed data or software and must comply with applicable licenses or other contracts, as well as copyright, trademark and other intellectual property laws.
 - b. Much of what appears on the internet and/or is distributed via electronic communication is protected by copyright law, regardless of whether the copyright is expressly noted. Users should generally assume that material is copyrighted unless they know otherwise, and not copy, download or distribute copyrighted material without permission unless the use does not exceed fair use as defined by the federal Copyright Act of 1976. Protected material may include, among other things, text, photographs, audio, video, graphic illustrations, and computer software. Additional information regarding copyright and file sharing is available on the CUNY Legal Affairs website.
5. **False Identity and Harassment.** Users may not employ a false identity, mask the identity of an account or computer, or use CUNY Computer Resources to engage in abuse of others, such as sending harassing, obscene, threatening, abusive, deceptive, or anonymous messages within or outside CUNY.
6. **Confidentiality.**
- a. Users may not invade the privacy of others by, among other things, viewing, copying, redistributing, posting such data to the Internet, modifying or destroying data or programs belonging to or containing personal or confidential information about others, without explicit permission to do so.
 - b. CUNY employees must take precautions by following all IT Security Policies and Procedures to protect the confidentiality of Non-Public University Information encountered in the performance of their duties or otherwise.
7. **Integrity of Computer Resources.** Users may not install, use or develop programs intended to infiltrate or damage a CUNY Computer Resource, or which could reasonably be expected to cause, directly or indirectly, excessive strain or theft of confidential data on any computing facility. This includes, but is not limited to, programs known as computer viruses, Trojan horses, and worms. Users should consult with the IT director at their college before installing any programs on CUNY Computer Resources that they are not sure are safe or may cause excess strain.

8. Disruptive Activities.

- a. CUNY Computer Resources must not be used in a manner that could reasonably be expected to cause or does cause, directly or indirectly, unwarranted or unsolicited interference with the activity of other users, including:
 - i. chain letters, virus hoaxes or other e-mail transmissions that potentially disrupt normal e-mail service;
 - ii. spamming, junk mail or other unsolicited mail that is not related to CUNY business and is sent without a reasonable expectation that the recipient would welcome receiving it;
 - iii. the inclusion on e-mail lists of individuals who have not requested membership on the lists, other than the inclusion of members of the CUNY community on lists related to CUNY business; and
 - iv. downloading of large videos, films or similar media files for personal use.
- b. CUNY has the right to require Users to limit or refrain from other specific uses if, in the opinion of the IT director at the User's college, such use interferes with efficient operations of the system, subject to appeal to the President or, in the case of central office staff, to the Chancellor.

9. CUNY Names and Trademarks.

- a. CUNY names, trademarks and logos belong to the University and are protected by law. Users of CUNY Computer Resources may not state or imply that they speak on behalf of CUNY or use a CUNY name, trademark or logo without authorization to do so. Affiliation with CUNY does not, by itself, imply authorization to speak on behalf of CUNY.
- b. Notwithstanding subsection 9.a. above, CUNY employees and students may indicate their CUNY affiliation on e-mail, other correspondence, and in academic or professionally-related research, publications or professional appearances, so long as they do not state or imply that they are speaking on behalf of the University.

10. Security.

- a. CUNY employs various measures to protect the security of its computer resources and of Users' accounts. However, CUNY cannot guarantee such security. Users are responsible for engaging in safe computing practices such as guarding and not

sharing their passwords, changing passwords regularly, logging out of systems at the end of use, and protecting Non-Public University Information, as well as for following CUNY's IT Security Policies and Procedures.

- b. Users must report incidents of non-compliance with IT Security Policies and Procedures or other security incidents to the University Chief Information Officer and Chief Information Security Officer, and the Chief Information Officer at the affected User's college.
11. **Filtering.** CUNY reserves the right to install spam, anti-malware, and spyware filters and similar devices if necessary in the judgment of CUNY's Office of Information Technology or a college IT director to protect the security and integrity of CUNY Computer Resources. CUNY will not install filters that restrict access to e-mail, instant messaging, chat rooms or websites based solely on content, unless such content is illegal, such as child pornography sites.
 12. **Confidential Research Information.** Principal investigators and others who use CUNY Computer Resources to collect, examine, analyze, transmit or store research information that is required by law or regulation to be held confidential or for which a promise of confidentiality has been given are responsible for taking steps to protect such confidential research information from unauthorized access or modification. In general, this means storing the information on a computer or auxiliary hard drive that provides strong access controls (passwords) and encrypting files, documents, and messages for protection against inadvertent or unauthorized disclosure while in storage or in transit over data networks. Robust encryption and passwords must be used to protect Non-Public University Information, and is strongly recommended for information stored electronically on all computers, especially portable devices such as notebook computers, Personal Digital Assistants (PDAs), and portable data storage (e.g., auxiliary hard drives, memory sticks) that are vulnerable to theft or loss, as well as for information transmitted over public networks. Software and protocols used should be reviewed and approved by CUNY's Office of Information Technology. In addition, the steps taken to protect such confidential research information should be included in submissions to the CUNY Institutional Review Board reviewing the research protocol.
 13. **CUNY Access to Computer Resources.**
 - a. **Copying.** CUNY may copy a User's account and/or hard drive on a CUNY Computer Resource, without monitoring or inspecting the contents of such account and/or hard drive, at any time for preservation of data or evidence, without notice to the User.
 - b. **General Monitoring Practices.** CUNY does not routinely monitor, inspect, or disclose individual usage of CUNY Computer Resources without the User's consent. In most instances, if the University needs information located in a CUNY Computer Resource, it will simply request it from the author or custodian. However, CUNY IT professionals and staff do regularly monitor general usage patterns as part of normal system operations and maintenance and might, in connection with these duties, observe the contents of web sites, e-mail or other electronic communications. Except as provided in this policy or by law, these individuals are not permitted to seek out contents or transactional information, or disclose or otherwise use what they have observed. Nevertheless, because of the inherent vulnerability of computer technology to unauthorized intrusions, Users have no guarantee of privacy during any use of CUNY computer resources or in any data in them, whether or not a password or other entry identification or encryption is used. Users may expect that the privacy of their electronic communications and of any materials stored in any CUNY Computer Resource dedicated to their use will not be intruded upon by CUNY except as outlined in this policy.
 - c. **Monitoring without Notice.**
 - i. **Categories.** CUNY may specifically monitor or inspect the activity and accounts of individual users of CUNY computer resources, including individual login sessions, e-mail and other communications, without notice, in the following circumstances:
 - A. when the User has voluntarily made them accessible to the public, as by posting to Usenet or a web page;
 - B. when it is reasonably necessary to do so to protect the integrity, security, or functionality of CUNY or other computer resources, as determined by the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee;
 - C. when it is reasonably necessary to diagnose and resolve technical problems involving system hardware, software, or communications, as determined by the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee;
 - D. when it is reasonably necessary to determine whether CUNY may be vulnerable to liability, or when failure to act might result in significant bodily harm, significant property loss or damage, or loss of evidence, as determined by the college president or a vice president designated by the president or, in the case of the Central Office by the Chancellor or his or her designee, after consultation with the Office of General Counsel and the Chair of the University Faculty Senate (if a current CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable;
 - E. when there is a reasonable basis to believe that CUNY policy or federal, state or local law has been or is being violated, as determined by the college president or a vice president designated by the president or, in the case of the Central Office by the Chancellor or his or her designee, after consultation with the Office of General Counsel and the Chair of the University Faculty Senate (if a current CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable;
 - F. when an account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns, as determined by the college president or a vice president designated by the president and the college chief information officer or his or her designee or, in the case of the Central Office by the Chancellor or his or her designee, after consultation with CUNY's chief information officer or his or her designee, the Office of General Counsel, and the Chair of the University Faculty Senate (if a current CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable; or
 - G. as otherwise required by law.
 - ii. **Procedures.** In those situations in which the Chair of the University Faculty Senate is to be consulted prior to monitoring or inspecting an account or activity, the following procedures shall apply:
 - A. if the monitoring or inspection of an account or activity requires physical entry into a faculty member's office, the faculty member shall be advised prior thereto and shall be permitted to be present to observe, except where specifically forbidden by law; and
 - B. the college president or the Chancellor, as the case may be, shall report the completion of the monitoring or inspection to the Chair and the CUNY employee affected, who shall also be told the reason for the monitoring or inspection, except where specifically forbidden by law.
 - iii. **Other Disclosure.**
 - A. CUNY, in its discretion, may disclose the results of any general or individual monitoring or inspection to appropriate CUNY personnel or agents, or law enforcement or other agencies. The results may be used in

- college disciplinary proceedings, discovery proceedings in legal actions, or otherwise as is necessary to protect the interests of the University.
- B. In addition, users should be aware that CUNY may be required to disclose to the public under FOIL communications made by means of CUNY Computer Resources whether in conjunction with University business or as incidental personal use.
 - C. Any disclosures of activity of accounts of individual Users to persons or entities outside of CUNY, whether discretionary or required by law, shall be approved by the General Counsel and shall be conducted in accordance with any applicable law. Except where specifically forbidden by law, CUNY employees subject to such disclosures shall be informed promptly after the disclosure of the actions taken and the reasons for them.
 - iv. Annual Statement. The Office of General Counsel shall issue an annual statement of the instances of account monitoring or inspection that fall within categories D through G above. The statement shall indicate the number of such instances and the cause and result of each. No personally identifiable data shall be included in this statement.
 - v. Privacy Policy. See [CUNY's Web Site Privacy Policy](#) for additional information regarding data collected by CUNY from visitors to the CUNY website at www.cuny.edu.

14. Waiver of Policy

- a. A CUNY employee or student may apply to the General Counsel for an exception or waiver from one or more of the provisions of this policy. Such application may be for a single use or for periodic or continuous uses, such as in connection with a course or program. Any application for a waiver should be made prior to using the CUNY Computer Resource for the purposes described in the application.
- b. The written waiver application must state:
 - i. the policy provision or provisions for which the User is seeking a waiver;
 - ii. how the User plans to use CUNY Computer Resource to be covered by the waiver and the reasons why the User believes a waiver should be approved;
 - iii. if the waiver involves confidential research information, what steps will be taken to protect such information;
 - iv. the length of time for which the waiver is being requested; and
 - v. if a student, how and by whom the student will be supervised.
- c. The General Counsel shall consult with the CUNY's chief information officer and the president of the applicant's college (or, if the applicant is a Central Office employee, the Chancellor) or their designees, prior to making a determination regarding the application.
- d. Users should be aware that CUNY cannot waive federal, state or local law; for example, the contents of CUNY Computer Resources (including confidential research information) may be subject to a valid subpoena regardless of the terms of any waiver.

15. Enforcement.

- a. Violation of this policy may result in suspension or termination of an individual's right of access to CUNY Computer Resources, disciplinary action by appropriate CUNY authorities, referral to law enforcement authorities for criminal prosecution, or other legal action, including action to recover civil damages and penalties.
- b. Violations will normally be handled through the University disciplinary procedures applicable to the relevant User. For example, alleged violations by students will normally be investigated, and any penalties or other discipline will normally be imposed, by the Office of Student Affairs.
- c. CUNY has the right to temporarily suspend computer use privileges and to remove from CUNY computer resources material it believes violates this policy, pending the outcome of an investigation of misuse or finding of violation. This power may be exercised only by the president of each college or the Chancellor.

16. **Additional Rules.** Additional rules, policies, guidelines and/or restrictions may be in effect for specific computers, systems, or networks, or at specific computer facilities at the discretion of the directors of those facilities. Any such rules which potentially limit the privacy or confidentiality of electronic communications or information contained in or delivered by or over CUNY Computer Resources will be subject to the substantive and procedural safeguards provided by this policy.

17. Disclaimer.

- a. CUNY shall not be responsible for any damages, costs or other liabilities of any nature whatsoever with regard to the use of CUNY Computer Resources. This includes, but is not limited to, damages caused by unauthorized access to CUNY Computer Resources, data loss, or other damages resulting from delays, non-deliveries, or service interruptions, whether or not resulting from circumstances under the CUNY's control.
- b. Users receive and use information obtained through CUNY Computer Resources at their own risk. CUNY makes no warranties (expressed or implied) with respect to the use of CUNY Computer Resources. CUNY accepts no responsibility for the content of web pages or graphics that are linked from CUNY web pages, for any advice or information received by a user through use of CUNY Computer Resources, or for any costs or charges incurred by a user as a result of seeking or accepting such advice or information.
- c. CUNY reserves the right to change this policy and other related policies at any time. CUNY reserves any rights and remedies that it may have under any applicable law, rule or regulation. Nothing contained in this policy will in any way act as a waiver of such rights and remedies.

B. THE CITY UNIVERSITY OF NEW YORK - ADOPTION OF A SALARY PLAN FOR TITLES WITHIN THE EXECUTIVE COMPENSATION PLAN:

WHEREAS, Executive Compensation Plan (ECP) resolutions in 1987, 1994, and 2000 state "that periodically . . . but no less frequently than every five years, the Board of Trustees shall review national peer data to compare and reassess its Executive Compensation (Salary) Plan" (Board Minutes 10/26/87, 6/27/94, and 2/22/2000); and

WHEREAS, On June 26, 2006, the Board of Trustees approved a Revised Salary Plan which was based on a review of market data and best practices in higher education conducted by the firm of William M. Mercer, Inc.; and

WHEREAS, The Salary Plan Report adopted by the Board of Trustees on June 26, 2006, similarly requires a periodic assessment of the Salary Plan “no less frequently than every five years”; and

WHEREAS, In accordance with this mandate, the University engaged the services of William M. Mercer, Inc. in 2003, 2006, 2010 and 2012 to update the market analyses previously performed; and

WHEREAS, Chapter 263 of the Laws of 1987 authorizes the Board of Trustees to establish and implement a Salary Plan for executive staff following consultation with the Governor’s Office of Employee Relations and the Division of the Budget, and further requires the Board of Trustees to file a proposed Salary Plan Report with the Chairs of the Senate Finance Committee and the Assembly Ways and Means Committee and the Director of the Budget at least 60 days prior to the effective date of the Plan; now therefore be it

RESOLVED, That the attached Salary Plan Report for the Executive Compensation Plan dated June 25, 2012 is approved effective September 1, 2012; and be it further

RESOLVED, That the Chancellor is authorized to take all necessary actions to effect the implementation of the Salary Plan pursuant to Chapter 263 of the Laws of 1987 with the understanding that the Chancellor is granted the authority to make appropriate adjustments to the plan resulting from consultation with the New York State Division of the Budget, and/or the New York State Office of Employee Relations; and be it further

RESOLVED, That the Chancellor is authorized to issue revised “Terms and Conditions of Employment for Staff Serving in the Executive Compensation Plan,” which provides guidance for implementation of the Salary Plan.

EXPLANATION: The Board recognizes that competitive, market driven compensation for the Chancellor, the Presidents and other senior executives is necessary and critical to the success of The City University of New York and central to the Board’s mandate to continue to improve standards and promote accountability. The primary objective of the proposed Salary Plan is to provide a total compensation program that addresses the need to be competitive with the national market and to acknowledge the complexity of specific institutions while promoting and recognizing individual excellent performance. In order to maintain its competitiveness, the Board has directed that the Salary Plan be reassessed “no less frequently than every five years.” Since the Salary Plan was last updated in June 2006, this review is now necessary.

The proposed revisions to the Salary Plan are based in large part on a market analysis conducted by William M. Mercer, Inc. in 2010 and updated in 2012. The attached Salary Plan Report provides recommendations for salary ranges for each title within the Executive Compensation Plan. The plan proposes six salary structures for all campus executives that mirror the tiered structure of Presidential compensation. A new tier has been created specifically for the CUNYwide and Professional Schools, which includes the CUNY Law School, the School of Journalism, the School of Professional Studies, the School of Public Health, and the Macaulay Honors College. A sixth structure has been designed to accommodate system positions.

The salary ranges for all titles are such that the salaries of all incumbents are absorbed within the proposed ranges. No automatic salary improvements result from the implementation of this new Salary Plan. Movement of ECP staff through the ranges (toward the maximum) will continue to be based on annual assessments of individual performance. Future modifications of individual salaries within the appropriate ECP range will be at the discretion of the Board of Trustees upon the recommendation of the Chancellor. The proposed plan generally provides the Chancellor and the Board with greater flexibility in modifying the terms and conditions of employment for members of the ECP. Under the proposed plan, there is an opportunity to offer a deferred compensation plan to members of the ECP in appropriate circumstances.

The “Terms and Conditions of Employment for Staff in the Executive Compensation Plan,” which codifies appropriate terms and conditions of employment for executive staff, will be revised to conform to changes in the Salary Plan.

EXECUTIVE SALARY AND COMPENSATION PLAN

I. INTRODUCTION

In accordance with Executive Law §169(3), the Board of Trustees of The City of New York has established CUNY's Executive Compensation Plan (ECP). At its meeting on October 20, 1987, The City University Board of Trustees adopted a Salary Plan Report that was developed in accordance with Chapter 263 of the Laws of 1987, which authorized both The City University of New York and The State University of New York to establish and implement salary plans. These plans were to be developed in consultation with the New York State Division of the Budget, and the Governor's Office of Employee Relations with a 60-day notification to the Ways and Means Committee of the State Assembly, the Finance Committee of the New York State Senate, and the Director of the Budget.

The City University of New York (CUNY) recognizes the importance of recruiting and retaining innovative, highly competent, accountable and visionary leadership. The changing landscape of higher education has required that CUNY periodically assess its competitiveness in the marketplace. The 2006 Salary Plan specifically mandates that reviews of the salary ranges "be conducted periodically, but no less frequently than every five years." At the request of the Board of Trustees, and in accordance with the requirements of the Salary Plan to conduct periodic reviews of the salary ranges, CUNY undertook the review that follows.

II. SALARY PLAN DESCRIPTION

A. Tier Differential

Under this Salary Plan, each CUNY college is placed in one of five tiers or groupings (in addition to the System Office) based upon the following criteria:

- Ratio of doctoral faculty to full-time faculty
- Percentage of enrollment in graduate programs
- Percentage of degrees awarded in graduate programs
- Five-year average headcount enrollment
- Complexity of regular as well as professional programs at undergraduate and graduate levels

Campuses placed in **Research**, the first CUNY grouping, are Baruch, Brooklyn, The City College, Hunter, Queens, and the Graduate School and University Center. The second grouping, **CUNY-wide and Professional Schools**, is comprised of the CUNY Law School, the Graduate School of Journalism, the School of Public Health, the School of Professional Studies, and the Macaulay Honors College. Campuses in the third grouping, **Master's**, include John Jay, Lehman, and the College of Staten Island. The fourth grouping, **Baccalaureate**, includes Medgar Evers, York, and New York City College of Technology. The fifth grouping, **Community Colleges**, is comprised of the Borough of Manhattan Community College, Bronx Community College, Kingsborough Community College, Queensborough Community College, LaGuardia Community College, Hostos Community College, and the New Community College, which has not yet been named.

B. Salary Ranges

For each tier, the Salary Plan establishes salary ranges for ECP titles. As in earlier salary plans, there is overlap in the ranges between tiers that allows individual salaries to be based upon several factors, including differing levels of experience among executives, varying performance review results, and significant differences in market requirements. Within each tier, the salary of a newly-recruited executive will be determined by his/her background, skills and experience, degrees held, academic accomplishments, special qualities germane to the position, the position held at the time he/she was hired by CUNY, and market conditions. Another factor to be considered will be the size of the CUNY College compared to the institution from which the candidate moved. The Chancellor, in exceptional circumstances, may make offers beyond the maximum of the salary range, subject to the approval of the Board of Trustees.

As in the past, all salary ranges will be subject to periodic adjustment in accordance with the general increases provided for New York State M/C employees. Further, the salary ranges may be adjusted based on reviews of peer and national market trend data for higher education executive personnel, subject to Board of Trustees' approval. These reviews will be conducted periodically, but no less frequently than every five years. Any modification of salaries within the ECP is at the discretion of the Board of Trustees.

C. Performance Based Salary Increases

The cornerstone of this salary plan is the link between salary and performance. Each year, the Chancellor establishes University goals that drive a set of targets and performance indicators at each campus. The campus goals and indicators are used to set individual executive goals and targets. At the end of each academic year, the Chancellor meets with each President to evaluate the President's success at meeting the aforementioned college goals. The President's salary for the coming year is dependent on the outcome of that meeting. Also tied to the college's goal achievement is the Chancellor's determination of the funds available to be used for college executive increases. In the same way that the Chancellor meets with each President to assess goal achievement, each President meets with members of his/her executive team and evaluates success at meeting individual goals. To determine an appropriate salary level for a sitting executive, the individual's overall performance while in the position is reviewed, relying in part on indicators that measure not only the progress made by the institution he/she serves, but also the particular executive's contribution and role in that success. The executive's performance as it pertains to fiscal and academic management, and his/her relationship with students, faculty, and staff is also reviewed. There are no automatic increases. Individual salary improvements are driven by and subject to a performance review.

In rare and exceptional circumstances, the Chancellor may approve the awarding of a salary increase outside of the performance cycle subject to Board of Trustees' approval. Requests for such special increases require extensive justification detailing how the increase meets a critical college or University need.

As in the past, funds for all performance-based increases and all non-base compensation items identified herein will be absorbed by the University system or by the campuses. Each year, the Chancellor will determine whether performance-based increases will be awarded and the amounts available to fund such increases.

III. SALARY ANALYSIS

As stated earlier, CUNY's Executive Compensation Plan expressly calls for a market comparison review of salaries to be undertaken no less than every five years. In February of 2010, in keeping with that requirement, the University engaged the services of the Mercer Corporation ("Mercer") to examine current market comparability data and make recommendations on the salary ranges.

At CUNY's direction, Mercer focused on the following "benchmarked" titles: Chancellor, Executive Vice Chancellor, Senior Vice Chancellor, Vice Chancellor, System Dean, President (Research Institution), President (Master's Institution), President (Baccalaureate Institution), and President (Two-Year Institution). After establishing salary ranges for these titles, Mercer derived a salary schedule for the entire Executive Compensation Plan. Mercer gathered data at the 25th, 50th, 75th, and 90th percentiles for the benchmarked positions from recently published surveys, when available, in terms of base salary, total compensation, and actual short-term incentives.

Although Mercer completed its work in 2010, the Board of Trustees deferred consideration of the report. Mercer was asked to age the survey market data and salary structures to March 1, 2012. The Mercer Report, which is attached, was used to establish the new maximums for the salary ranges set forth below.

IV. REVISED SALARY RANGES

The following salary ranges are established:

SYSTEM OFFICERS

TITLE	SALARY RANGES effective 10/1/09		SALARY RANGES effective 6/26/12	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
Chancellor	\$249,600	\$470,705	\$249,600	\$724,470
Executive Vice Chancellor	\$193,210	\$348,884	\$193,210	\$452,640
Senior Vice	\$154,566	\$294,374	\$154,566	\$361,620
Chancellor Vice Chancellor	\$128,807	\$248,024	\$128,807	\$301,350
Associate Vice Chancellor			\$127,281	\$280,440
Senior University Dean			\$127,281	\$280,440
Secretary of the Board	\$112,503	\$186,090	\$112,503	\$263,220
University Dean/ University Administrator	\$108,241	\$195,815	\$108,241	\$256,800
University Associate Dean/University Associate Administrator	\$92,514	\$167,486	\$92,514	\$223,200
University Assistant Dean/University Assist Administrator	\$80,444	\$145,744	\$80,444	\$195,600

RESEARCH INSTITUTIONS

Baruch College, Brooklyn College, The City College, Hunter College, Queens College, and the Graduate School and University Center

TITLE	SALARY RANGES effective 10/1/2009		SALARY RANGES effective June 26, 2012	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
President	\$165,528	\$299,016	\$165,528	\$371,460
Senior Vice President	\$132,422	\$239,375	\$132,422	\$306,000
Vice President	\$115,149	\$217,528	\$115,149	\$266,400
Dean/Administrator/ Assistant Vice President	\$100,132	\$181,210	\$100,132	\$231,600
Associate Dean/Associate Administrator	\$87,069	\$157,681	\$87,069	\$200,380

Assistant Dean/Assistant Administrator	\$75,710	\$137,219	\$75,710	\$178,245
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CUNY-WIDE AND PROFESSIONAL SCHOOLS

The CUNY Law School, The Graduate School of Journalism, the School of Public Health, the School of Professional Studies, and the Macaulay Honors College

TITLE	SALARY RANGES effective 10/1/09		SALARY RANGES effective 6/26/12	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
Dean of the Law School/ Dean of the Graduate School of Journalism/Dean of the School of Public Health/Dean of the School of Professional Studies/ Dean of the Macaulay Honors College	\$165,528	\$299,016	\$165,528	\$371,460
CUNY-wide and Professional School Senior Associate Dean/CUNY-wide and Professional School Senior Associate Administrator			\$115,149	\$266,400
CUNY-wide and Professional School Associate Dean/CUNY-wide and Professional School Associate Administrator			\$100,132	\$231,600
CUNY-wide and Professional School Assistant Dean/CUNY-wide and Professional School Assistant Administrator			\$87,069	\$200,380

MASTER'S INSTITUTIONS

John Jay College of Criminal Justice, Lehman College, and The College of Staten Island

TITLE	SALARY RANGES effective 10/1/2009		SALARY RANGES effective June 26, 2012	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
President	\$152,675	\$275,401	\$152,675	\$339,480
Senior Vice President	\$127,281	\$229,764	\$127,281	\$280,800
Vice President	\$110,666	\$199,842	\$110,666	\$244,800
Dean/Administrator/ Assistant Vice President	\$96,140	\$173,686	\$96,140	\$212,400
Associate Dean/Associate Administrator	\$83,705	\$151,298	\$83,705	\$184,070
Assistant Dean/Assistant Administrator	\$72,419	\$131,601	\$72,419	\$165,430

BACCALAUREATE INSTITUTIONS

Medgar Evers College, New York City College of Technology, and York College

TITLE	SALARY RANGES effective 10/1/2009		SALARY RANGES effective June 26, 2012	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
President	\$152,675	\$266,467	\$152,675	\$327,180
Senior Vice President	\$122,892	\$222,230	\$122,892	\$271,200
Vice President	\$106,904	\$193,384	\$106,904	\$236,400
Dean/Administrator/ Assistant Vice President	\$92,901	\$168,197	\$92,901	\$206,400

Associate Dean/Associate Administrator	\$80,779	\$146,347	\$80,779	\$178,245
Assistant Dean/Assistant Administrator	\$70,224	\$127,296	\$70,224	\$158,440

COMMUNITY COLLEGES

Borough of Manhattan Community College, Bronx Community College, Hostos Community College, Kingsborough Community College, LaGuardia Community College, Queensborough Community College and the New Community College, which has not yet been named.

TITLE	SALARY RANGES effective 10/1/2009		SALARY RANGES effective June 26, 2012	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
President	\$134,910	\$243,972	\$134,910	\$313,650
Senior Vice President	\$117,354	\$212,219	\$117,354	\$260,400
Vice President	\$102,297	\$184,665	\$102,297	\$226,800
Dean/Administrator/ Assistant Vice President	\$88,721	\$160,662	\$88,721	\$198,000
Associate Dean/Associate Administrator	\$77,121	\$139,781	\$77,121	\$171,255
Assistant Dean/Assistant Administrator	\$67,089	\$121,590	\$67,089	\$152,615

V. NON-BASE COMPENSATION

Non-base compensation components as provided below are customary and appropriate for senior executives in higher education.

A. Bonus Opportunities

At the time of performance assessment, the Chancellor may authorize payment of lump sum bonuses, which may be awarded in addition to, or in lieu of, base salary increases to individual executives (NOTE: For employees in Tier 1 of the New York City Teachers' Retirement System, bonuses must be paid from non-tax-levy funds and must be reported to the Chancellor).

B. Deferred Compensation

The Board of Trustees has the discretion to offer deferred compensation to the Chancellor. The Chancellor has the discretion, with the approval of the Board of Trustees, to offer a similar benefit to Presidents and to other members of the ECP. The amount of the deferred compensation and the terms of the individual agreements, including a substantial risk of forfeiture, will be determined by the Board of Trustees, if the recipient is the Chancellor, or by the Chancellor, subject to approval of the Board of Trustees, if the recipient is another member of the ECP.

C. Housing

Senior College Presidents are provided with a campus owned or leased residence or with a housing allowance of \$5,000 per month. Community College Presidents are provided a housing allowance of \$5,000 per month. In the Chancellor's discretion, the Dean of a CUNY-wide or Professional School may be provided a housing allowance of \$5,000 per month. Any President serving in an Interim/Acting capacity receives a housing allowance of \$3,000 per month. In the Chancellor's discretion, a Dean of a CUNY-wide or Professional School serving in an Interim/Acting capacity may receive a housing allowance of \$3,000 per month. The Chancellor, in the absence of University-provided housing, receives a housing allowance of \$7,500 per month.

The Chancellor retains the discretion, with the approval of the Board of Trustees, to provide a housing allowance to other members of the ECP and to negotiate higher housing allowances for individual members of the ECP when necessary and appropriate. The University may periodically modify the housing allowance after a review of cost of living and housing indices, in consultation with the New York State Division of Budget and upon approval of the Board of Trustees.

Individuals who are provided with a campus owned or leased residence are subject to a pre-tax, non-taxable maintenance deduction from their bi-weekly pay.

D. Automobile Provisions

The Chancellor and the Presidents are provided with an automobile and driver. In the Chancellor's discretion, a Dean of a CUNY-wide or Professional Schools may also be provided with an automobile and driver. The Executive Vice Chancellors, the Senior Vice Chancellors, and the Vice Chancellors, are provided automobiles; in the Chancellor's discretion, an individual serving in one of these titles may also be provided with a driver. At the Chancellor's discretion, other members of the ECP may be provided with a CUNY automobile. At the President's discretion, other members of the ECP at the college may be provided with a CUNY automobile.

E. Business Expenses

Non-tax-levy funds for business expenses are authorized for the Chancellor and the Presidents, and, in the discretion of the Chancellor, to the Dean of a CUNY-wide or Professional School. Appropriate documentation is required.

F. Memberships in Clubs or Associations

In their official capacities, the Chancellor and the Presidents, and, in the Chancellor's discretion, a Dean of a CUNY-wide or Professional School, may hold University-paid memberships in a limited number of clubs, professional associations and/or organizations. The Chancellor may authorize University-paid memberships in clubs, professional associations and/or organizations for additional members of the ECP in their official capacities.

VI. Pension and Health Insurance

Members of the ECP enjoy pension, health and welfare benefit options as detailed in the *Terms and Conditions of Employment for Staff in the Executive Compensation Plan*.

VII. Limits to Earning Outside Income

ECP members are permitted to engage in outside consultation and professional activities up to a maximum of two work days per month or twenty-four work days per year. Work days taken for this purpose are to be charged to annual leave. No outside activity may interfere with the executive's primary commitment to CUNY.

VIII. Study Leaves

Upon recommendation by the Chancellor, the Board of Trustees may grant a member of the Executive Compensation Plan a study leave at full salary during every fifth year of service following the initial appointment or the date of the last leave taken pursuant to this policy, in lieu of vacation leave accrued for that year of service. The leave shall be for the purpose of improving administrative and academic performance. The duration of the leave is in the Chancellor's discretion.

IX. Involuntary Separation and Severance Pay

Upon involuntary separation from positions in the ECP, for reasons other than cause, employees who are not appointed to another position within the University, or employees who resign from all positions within the University shall be compensated in a non-pensionable lump sum paid pursuant to the schedule promulgated in the *Terms and Conditions of Employment for Staff in the Executive Compensation Plan*. This payment is in addition to any accrued annual leave due the employee.

X. Voluntary Separation

A. Generally applicable rules

Upon voluntary resignation from the ECP, employees receive the balance (if any) of accrued annual leave in a lump sum as set forth in the *Terms and Conditions of Employment for Staff in the Executive Compensation Plan*.

Section 13.2 of the Bylaws of the University governs retirement leaves from the ECP. Members of the ECP are offered similar retirement options as other members of the Instructional Staff.

B. Retirement Payments for the Chancellor, the Presidents, and the Deans of the CUNY-wide and Professional Schools

The Chancellor and Presidents who serve for seven years are provided one semester's salary (paid in a lump sum) upon retirement from the University, in addition to any Travia (sick leave) pay and annual leave pay to which they are entitled. In the discretion of the Chancellor, a Dean of a CUNY-wide or Professional School who serves for seven years may also be provided one semester's salary (paid in a lump sum) upon retirement from the University, in addition to any Travia (sick leave) pay and annual leave pay to which they are entitled.

C. University Professor

The Chancellor may, in his/her discretion, recommend to the Board of Trustees the appointment of an individual as University Professor. To be eligible for consideration for appointment as a University Professor the individual must have served as President of a College of the University for a period of at least eight years immediately preceding such appointment. The appointment shall be for five years. Upon the recommendation of the Chancellor, the individual shall be eligible for one five-year reappointment.

D. Chancellor Emeritus

The Board of Trustees may, in its discretion, appoint an individual to the ECP title of Chancellor Emeritus. To be eligible for consideration for appointment as Chancellor Emeritus, an individual must have served as Chancellor of the City University of New York for a period of eight years immediately preceding such appointment. The salary will be determined by the Board of Trustees. The term of appointment shall be five years. Upon recommendation of the Chair of the Board, the individual shall be eligible for one five-year reappointment.

XI. Other Terms and Conditions of Employment

The Chancellor, with the approval of the Board of Trustees, has the discretion to establish such other terms and conditions of employment as are appropriate to this title series. Such terms and conditions include, but are not limited to annual leave, temporary disability leave, and leaves of absence with or without pay. These additional terms and conditions of employment will be incorporated into the *Terms and Conditions of Employment for Staff in the Executive Compensation Plan*.

C. THE CITY UNIVERSITY OF NEW YORK - CREATION OF THE TITLES RESEARCH ASSISTANT PROFESSOR, RESEARCH ASSOCIATE PROFESSOR, AND RESEARCH PROFESSOR:

RESOLVED, That the Board of Trustees create the titles Research Assistant Professor, Research Associate Professor, and Research Professor, and that these titles be incorporated into Article 6.1 of the *Board of Trustees Bylaws*; and be it further

RESOLVED, That the following title definitions and qualifications be approved:

RESEARCH ASSISTANT PROFESSORS, RESEARCH ASSOCIATE PROFESSORS, AND RESEARCH PROFESSORS.

Title Definition:

It shall be the responsibility of Research Assistant Professors, Research Associate Professors and Research Professors ("research-track faculty") to engage in, be responsible for, manage and/or execute significant areas of research or scholarship as their principal assignments. Research track faculty shall not be assigned to regular teaching duties, but they may participate in instructional programs by, for example, providing lectures or demonstrations. Research track faculty may serve as principal or co-principal investigators on grants or contracts administered by the University. They may manage postdoctoral fellows and their research projects, as well as supervise the research projects of graduate and undergraduate students. These are twelvemonth, non-tenure track positions with renewable term appointments of one to three years' duration.

Qualifications:

Research Assistant Professor.

For appointment as a Research Assistant Professor, the candidate must have demonstrated satisfactory qualities of personality and character, success in carrying out research, and ability to advise and/or oversee the direct work of others. He/she must also have obtained the Ph.D. degree, or an equivalent degree, in an accredited university.

Research Associate Professor.

For promotion or appointment to the rank of Research Associate Professor, the candidate must possess the qualifications for a Research Assistant Professor, and, in addition, must demonstrate a record of several years of successful research experience, clear evidence of ability to perform research independently or collaborate on research projects, significant scholarship in his/her field and evidence of a commitment to service in a university setting.

Research Professor.

For promotion or appointment to the rank of Research Professor, the candidate must possess the qualifications for a Research Associate Professor, and, in addition, a record of successful research that has gained him/her a national reputation in his/her respective field. He/she will have demonstrated a significant commitment to service in a university setting and to the profession.

and be it further

RESOLVED, That the Board of Trustees, pursuant to Section 5.1 of the *Bylaws*, hereby waives the requirement that the amendments to the *Bylaws* proposed in this resolution "be proposed at a meeting preceding the meeting at which a vote is taken."

EXPLANATION: The purpose of this resolution is to create a new title series comprised of the titles Research Assistant Professor, Research Associate Professor and Research Professor, which will bring the University's title structure for faculty in line with that of many research-oriented institutions. These new titles are distinct from the current faculty titles: The focus of these titles is on research; regular teaching assignments are not a component of the job description. Appointments may be made either within or outside of academic departments.

The proposed "title definitions and qualifications" are presented to the Board of Trustees for approval pursuant to Section 11.1 of the *Bylaws* and, if approved, will be incorporated into a *Code of Practice* established for instructional staff titles by the Vice Chancellor for Human Resources Management, who will also be responsible for establishing the initial salary ranges and terms and conditions of employment for these titles.

The Board is waiving the requirement that these amendments to the *Bylaws* be proposed at a meeting preceding the meeting at which they are being voted upon in order to have these titles available for use as soon as possible.

D. THE CITY UNIVERSITY OF NEW YORK - ADOPTION OF TITLE DEFINITION AND QUALIFICATIONS FOR THE TITLE "EINSTEIN PROFESSOR":

RESOLVED, That the following title definition and qualifications be approved for the title "Einstein Professor":

EINSTEIN PROFESSOR

Title Definition:

Persons appointed as Einstein Professors are engaged in teaching and research at the highest levels. Einstein Professors may be responsible for directing institutes or other collaborative initiatives.

Qualifications:

For appointment as Einstein Professor, the candidate must have all of the qualifications of a Professor and, in addition, he/she must be an eminent and exceptional scholar in a scientific discipline with an outstanding national and international reputation in his/her field.

EXPLANATION: The title "Einstein Professor" has been in existence at the University since 1979. The proposed "title definition and qualifications" is presented to the Board of Trustees for approval pursuant to Section 11.1 of the *Bylaws* and, if approved, will be incorporated into a *Code of Practice* established for instructional staff titles by the Vice Chancellor for Human Resources Management. The University reserves appointment as an Einstein Professor to an elite cadre of outstanding scholars in scientific disciplines.

E. NEW COMMUNITY COLLEGE - APPROVAL OF INTERIM GOVERNANCE PLAN:

RESOLVED, That the Board of Trustees approve the interim governance plan for the New Community College, set forth in Attachment I hereto.

EXPLANATION: The New Community College will enroll its first students in August 2012. As with other educational units established by the Board, it is appropriate for the New Community College to have an initial governance plan to guide its operations during its early years, with the understanding that as it grows and develops, the College will likely amend the governance plan to meet new circumstances. The proposed governance plan is informed by the Report of the Working Group on Governance and Organizational Structure, comprised of faculty and administrators from across the City University and other institutions, the work of the New Community College Governance Task Force, comprised of faculty and staff of the College and supported by the University's General Counsel, and broad discussion within the College community. It incorporates a simplified structure appropriate to a small start-up institution with an interdisciplinary core curriculum and a limited number of majors. Over time, there may be a need to include provisions for the election of faculty representatives to the College Council (rather than having all faculty serve), the election of adjunct faculty to the College Council, the establishment of programs and program officers, and other provisions appropriate to a large, highly structured institution.

NEW COMMUNITY COLLEGE INTERIM GOVERNANCE PLAN

A. Administrative Officers

1. President. There shall be a President of the New Community College who shall be the chief academic and administrative officer of the College and shall have the responsibilities and authorities set forth for Presidents in the Bylaws and policies of the CUNY Board of Trustees.

2. Provost, Vice Presidents and other administrative officers. The President may appoint a Provost, one or more Vice Presidents, and other administrative officers as are necessary in accordance with the established policies of the CUNY Board of Trustees for such appointments and may assign to them such duties and responsibilities as appropriate.

B. Faculty

1. The faculty of the College shall consist of all full-time and consortial faculty appointed to the College.
2. The faculty shall be appointed to the College as a whole and shall be assigned to teach in one or more programs, including the first-year experience.

C. Governing Body

1. The New Community College Council. The Council shall be composed of the following members:
 - a. the President who shall serve as Chairperson and preside at meetings without vote except to break a tie. In the absence of the President, the Provost shall preside;
 - b. the Provost and three persons appointed by the President from among the professional and administrative staff;
 - c. all full-time faculty members appointed to the College;
 - d. all faculty members from other campuses appointed as consortial faculty to the College;
 - e. four members of the full-time non-teaching staff elected for two-year staggered terms by the full-time non-teaching staff of the College;
 - f. two students and two alternates elected by the student body.
2. The Council shall elect a Secretary who shall keep the minutes and perform such other duties as may be assigned by the Council.
3. Meetings. The Council shall meet at least two times each semester. A majority of the members of the Council shall constitute a quorum. All members of the Council shall have one vote, except as provided above with respect to the President and except for votes on the awarding of degrees for which only faculty members may vote. Meetings of the Council shall follow Roberts Rules of Order Newly Revised, latest edition.
4. Duties. The Council shall be the governing body of the College and shall have the following duties and powers:
 - a. to advance the College's mission and goals, formulate educational policy, develop standards for admission, academic performance and degree requirements, as well as standards for the appointment and reappointment of faculty consistent with and subject to the Bylaws and policies of the CUNY Board of Trustees and other CUNY policies and procedures;
 - b. to approve academic programs and curricula;
 - c. to recommend the granting of associate degrees and program certificates to qualified candidates;
 - d. to establish a student academic appeals committee;
 - e. to consider any other academic matters and make recommendations to the President;
 - f. to establish and abolish such ad hoc committees as it deems necessary, elect members to such committees for terms not to exceed three years as it deems proper, and consider the reports and recommendations of those committees.
5. Standing Committees
 - a. Curriculum and Student Academic Support Committee
 - (1) The Curriculum Committee shall be composed of:
 - (a) the Provost;
 - (b) seven members of the faculty elected by the Council for staggered two-year terms; and,
 - (c) three members of the full-time non-teaching staff elected by the Council for staggered two-year terms.
 - (2) The Committee shall have responsibility for the curriculum, advising, academic support, academic technology, co-curricular activities, and other activities as the Council may assign.
 - (3) The Committee may establish and abolish subcommittees as it deems necessary.
 - (4) The recommendations of the Committee shall be reviewed, amended, approved or rejected by the Council.
 - b. Agenda Committee
 - (1) The Agenda Committee shall consist of:
 - (a) the President or his/her designee;
 - (b) four members elected by the Council for staggered two-year terms.
 - (c) The Secretary of the Council shall be an ex-officio, non-voting member of the Agenda Committee.
 - (2) The Agenda Committee shall prepare the agenda for each meeting of the Council and shall distribute the agenda to all members of the Council at least one week in advance of each meeting.
 - c. Assessment and Professional Development Committee.
 - (1) The Assessment and Professional Development Committee shall consist of five (5) faculty and two (2) members of the full-time non-teaching staff elected by the Council for staggered three-year terms.
 - (2) The Committee shall recommend procedures for institutional assessment, including student progress in achieving expected competencies and the quality of programs. It shall work with the President's designee to evaluate student achievement and the quality of the academic programs and to present information describing performance against those measures. The Committee shall not be involved in matters pertaining to the evaluation of individual faculty or staff. The Committee shall also address professional development for both faculty and staff including, but not limited to, recommending an agenda and resource requirements for professional development, disseminating teaching resources, and identifying funding opportunities.
 - (3) The Committee may establish and abolish subcommittees as it deems necessary.
 - (4) The recommendations of the Committee shall be reviewed, amended, approved or rejected by the Council.

D. College Personnel Committee

1. The College Personnel Committee shall consist of four full-time faculty elected by the Council who shall serve staggered two-year terms and the Provost of the College.
2. The College Personnel Committee shall make recommendations to the President, following searches conducted as per the CUNY guidelines, regarding the appointment of faculty with an appropriate functional title. The College Personnel Committee shall also make recommendations to the President regarding the appointment and reappointment of CLTs and the reappointment of teaching adjuncts.

E. Special Personnel Committee

1. Until such time as the Council elects four tenured faculty to the College Personnel Committee, reappointment, reappointment with tenure and promotion of full-time faculty shall be recommended by a Special Personnel Committee consisting of tenured faculty established for that purpose.
2. The Special Personnel Committee shall consist of six tenured faculty from a range of academic disciplines and the Provost of the College.

3. The members of the Special Personnel Committee shall serve staggered two-year terms.
4. The College Personnel Committee shall, by a majority vote of its membership, make nominations to the President of outside tenured faculty members to serve on the Special Personnel Committee. They shall nominate at least three persons for each position and the President may request additional nominees. The College Personnel Committee may also include among its nominees any NCC faculty member who has earned tenure.
5. The Special Personnel Committee shall make recommendations to the President regarding the personnel actions in E.1 in accordance with guidelines adopted by the Council and the Bylaws and policies of the CUNY Board of Trustees and other CUNY policies and procedures.

F. Amendments. Amendments to the governance document may be proposed by a two-thirds affirmative vote of the members present if that number also constitutes a majority of the members of the Council, which amendments shall then be subject to the approval of the President and the CUNY Board of Trustees.

F. QUEENSBOROUGH COMMUNITY COLLEGE - AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the proposed amendments to the Governance Plan of Queensborough Community College be adopted, effective July 1, 2012.

EXPLANATION: The amendments to the Queensborough Community College ("QCC") Governance Plan are designed to update the Plan to make it consistent with CUNY's Bylaws and the Bylaws of the QCC Faculty, and to codify current practices at QCC. The amendments were approved by the QCC Academic Senate on February 14, 2012 and are recommended by the College President. In addition, a college-wide referendum on revising the Governance Plan was approved by a majority of the faculty and received a positive vote by students (but not a majority of those eligible to vote). Pursuant to the Governance Plan, when amendments are approved by a majority of one constituency (in this case the faculty) and are recommended by the College President, the absence of a majority vote by another constituency (the students) does not affect passage of the amendments.

Specifically, the amendments clarify who is eligible to vote in department elections: The revisions state that all full-time employees who hold professorial titles, as well as lecturers and instructors, may vote in their respective departments as long as they have not received notice of non-reappointment or submitted a resignation. The amendments revise the manner in which members of the Academic Review Committee of the QCC Academic Senate are elected to be consistent with QCC Faculty Bylaws. They add Higher Education Officers and College Laboratory Technicians to the voting membership of the Academic Senate. The amendments further delete provisions concerning student government and student organizations, which have been superseded by recent revisions to CUNY's Bylaws.

Queensborough Community College Governance Plan

NOTE: ADDITIONS Proposed are in bold and underlined. DELETIONS are in blocked sections and with crosslines. Most recent additions are green blocked.

The Governance Plan of the College takes precedence over the Bylaws of the Board of Trustees (except where so noted by the Board), the Bylaws of the Faculty, and the Bylaws of the Academic Senate of Queensborough Community College, and all other bylaws, procedures, and regulations of Queensborough Community College. The Governance Plan was ratified by Queensborough Community College in March 1976 and by the Board of Trustees of The City University of New York in November 1976.

PREAMBLE

The Governance of Queensborough Community College is the concern of all its members. All its constituencies — students, faculty, **higher education officers**, alumni, and administration — contribute to the maintenance and development of the College. Each has its own particular and mutual areas of concern.

Because each constituency has the right to concern itself in areas that are its responsibility, this document sets forth the organization of the various bodies within the College, and guarantees their autonomy on matters within their jurisdiction. Because the constituencies are interrelated, and because all must participate in the well-being of the College as a whole, this Governance document also provides for the organization of an Academic Senate **which, as the policy making body of the College, shall adopt policies not inconsistent with BOT Policies and Bylaws, and** shall include students, faculty, **HEOs** alumni, and administrators, which shall be the voice of the academic community of Queensborough Community College in all matters affecting the welfare of the institution.

The Bylaws of the Faculty of the College and the Bylaws of the Academic Senate shall not be inconsistent with this Governance Plan.

Article I ACADEMIC SENATE

A. MEMBERSHIP

The Academic Senate shall be composed of faculty, **CLT, HEO**, student, alumni, and administrative representatives with full privileges and vote, and shall include: the President and five (5) administrators selected ~~by him~~ annually **by the President**; eight (8) officers of Student Government, designated by virtue of office ~~seven (7) by the Day Student Government and one (1) by the Evening Student Government;~~ one (1) alumni representative, to be selected annually in a manner prescribed by the Alumni Association.

The faculty senators shall be elected in April for three years and shall consist of the following: forty-one (41) faculty at large, elected by those who have been granted faculty rank, and shall not include members of the administration. The chairperson of each department shall also serve as a faculty senator. If a chairperson wishes to decline the office of senator, the department shall elect another representative to the Academic Senate. No more than five (5) faculty members totally shall be permitted to be from any one department. Two full-time CLT's shall be elected at large by the full-time CLT's to serve with vote. One adjunct shall be elected at large by the adjuncts to serve with vote. **Two (2) representatives from the Higher Education Officer series (HEOs) shall be elected by the full-time HEOs to serve with vote.**

The election of members-at-large to the Academic Senate and the filing of vacated seats shall be conducted by the Academic Senate in accordance with its bylaws.

B. ORGANIZATION

1. The Academic Senate shall elect a chairperson, a vice-chairperson, and a secretary of the Academic Senate, from among the elected members of the Senate, for a one-year term. These three elected members of the Academic Senate shall constitute a Steering Committee of the Senate. The Academic Senate shall also elect ~~a two members~~ of the Senate, ~~one~~ to serve as Parliamentarian **and one to serve as Senate Technology Officer. Nominations and elections for the Steering Committee of the Senate, the Parliamentarian, and the Senate Technology Officer and for the filling of vacated positions shall be conducted in a manner consistent with the Bylaws of the Academic Senate.**
2. The Steering Committee of the Academic Senate shall represent the interest of and uphold the policies adopted by the Academic Senate when it is not in session. It shall report to the Senate, at its next regular meeting, such College actions that may have been implemented while the Academic Senate was not in session. If such action requires the immediate establishment of new policy, a special meeting of the Academic Senate shall be called.
3. The President shall preside over regular meetings of the Academic Senate, or, in the President's absence, the chairperson of the Steering Committee shall preside. The Steering Committee shall prepare the agenda after discussions with the President. The President and the chairperson of the Steering Committee, or their designees, shall be ex officio members, without vote, on all standing committees. The President shall open the special meeting. The first item on the agenda shall be the election of the chairperson for that meeting by the members of the Academic Senate.
4. The agenda of each Academic Senate meeting shall include a report by the President or a designee concerning matters of college and university interest **and other items as are consistent with the bylaws of the Academic Senate.**
5. Committees
 - (a) The Academic Senate may establish such standing and ad hoc committees as it determines. Each committee shall elect its own chairperson, secretary, and such other officers as may be appropriate.
 - (b) There shall be a Committee on Committees elected by the Academic Senate to draw up a proposed list of Committees to be presented for adoption to the Academic Senate. This Committee shall also be responsible for the nominations and elections to such Committees as established by the Senate. However, nominations and elections for the Steering Committee of the Senate and for the Committee on Committees shall be conducted directly from the floor at the duly convened May meeting of the Senate.
 - (c) There shall be one student, designated by Student Government from among the student members of the committee, to represent each of the committees on which there is student participation. He/she may attend meetings of the Academic Senate, and shall have speaking privileges without vote when his/her committee report is under discussion.
 - (d) Student representation on the list of committees shall be proposed to the Academic Senate by the Committee on Committees with the following specifications: that there be ~~one-third~~ **two** student membership on the Curriculum and Course and Standing Committees. Student representation on the Course and Standing Committee shall vote only on policy matters.

C. POWERS

Through its Steering and Standing Committees, the Academic Senate shall have the power to request and receive information appropriate to or necessary for the performance of its duties, from the President and members of the administration, from students and student organizations, and such other sources as may be appropriate. It may address communications to the Board of Trustees **transmitted** by the President in some document whether it be a Chancellor's Report or some other report in which the vote must be recorded. **As the policy making body of the College, the Academic Senate, which, as the policy making body of the College, shall adopt policies not inconsistent with BOT Policies and Bylaws, and shall be the voice of the academic community of Queensborough Community College of The City University of New York in all matters which shall appropriately be brought before it, including:**

1. Intercollegiate athletics and cultural, fine and performing arts programs.
2. Educational objectives of the College.
3. The establishment and location of new units of the College.
4. **The periodic review of all departments of the College with The Senate shall have the power to recommend to the Board of Trustees the creation, deletion, or restructuring of departments of the College in consultation with the department(s) in question.**
5. ~~4.~~ The formulation of the policy relating to the admission and retention of students, subject to the guidelines of the Board of Trustees, and curriculum, awarding of college credits, and granting of degrees. In granting of degrees student members of the Senate shall not vote.
6. ~~5.~~ The recommendation of search and evaluation procedures.
7. ~~6.~~ Such other areas as affect the welfare of the institution.

D. PRESIDENTIAL CONSULTATION

The President shall inform and discuss with the Academic Senate or with the Steering Committee when the Senate is not in session, prior to his recommendation to the Board of Trustees on all college-wide matters which fall within the purview of the Academic Senate where his recommendations will be in disagreement with the vote of the Academic Senate and in areas that could not have been presented to the Academic Senate because of the necessity of meeting a deadline.

E. MEETINGS

The Academic Senate shall meet regularly at least ~~four (4)~~ **five (5)** times each semester. Special meetings shall be called by the President, the chairperson of the Academic Senate, on the written request of any eight (8) senators, or by written petition from 100 faculty members who are eligible to vote for the academic senators. A quorum shall be a majority of the members of the Academic Senate. The chairperson of the Steering Committee or his designee shall preside at special meetings of this body.

F. BYLAWS

The Academic Senate may adopt its own bylaws consistent with this Governance document. (Until such bylaws are drafted, the present Bylaws of the Faculty Council shall be the bylaws of the Academic Senate except where otherwise provided in this Governance plan. Such new bylaws must be drafted and adopted within two months of the first meeting of the Academic Senate.)

G. VOTING

1. For the purposes of implementing the new charter of Governance and the rights and responsibilities granted therein, lecturers (full-time), instructors, and the persons in registrar series ~~who have received notice of appointment on an annual salary basis for a third or later year of continuous full-time service~~ and all individuals in professorial titles who do not hold administrative positions shall have the right to vote for faculty representatives to the Academic Senate and to serve as faculty senators.
2. All full-time college laboratory technicians shall be permitted to vote for two (2) CLT representatives to the Academic Senate.
3. ~~All full-time members of the Higher Education Officer series shall have the right to vote for two (2) HEO representatives to the Academic Senate.~~
4. Adjunct CLT's shall elect one representative from among their number who shall cast one vote in the election of the two full-time CLT representatives to the Academic Senate and any other college-wide positions to which CLT's are elected. For purposes of this document adjunct CLT's shall be defined as any person who is employed part-time as a CLT and who does not otherwise have voting rights as described in the appropriate sections of this document.
5. Adjunct **faculty** shall be permitted to vote for one (1) adjunct representative to the Academic Senate. ~~upon receipt of the fifth continuous notice of appointment.~~
6. Persons having received notice of nonreappointment shall not have the right to vote for representatives to the Academic Senate or in the Academic Senate upon immediate receipt of such notice. Persons who have submitted a resignation shall not have the right to vote for representatives of the Academic Senate or in the Academic Senate immediately upon receipt of such resignation.
7. Persons on leave shall retain the right to vote for representatives to the Academic Senate. ~~but shall not serve in the Academic Senate during the period of their leave.~~

Article II FACULTY**A. FACULTY DEFINED**

The faculty shall be defined as those ~~full-time persons holding professorial titles; and lecturers, instructors, persons in the registrar series and college laboratory technicians.~~ ~~all persons who are employed full-time on an annual salary basis in titles on the permanent instructional staff, and include college laboratory technicians and persons in the registrar series.~~ ~~those persons holding professorial titles; and those lecturers (full-time), instructors, persons in the registrar series, and college laboratory technicians (full-time), who have received notice of appointment on an annual salary basis for a third or later year of continuous full-time service.~~

B. MEETINGS

The faculty shall meet at least once each semester. Special meetings shall be called by the President, the chairperson of the Faculty Executive Committee, or on the written request of fifty (50) faculty members.

C. ORGANIZATION

1. The faculty shall elect a chairperson and six (6) other members of an Executive Committee for a three-year term. The committee shall designate one of its members to be secretary, and another to be treasurer of the faculty. The Faculty **Executive Committee** shall also elect one of its members to serve as parliamentarian.
2. The Faculty Executive Committee shall prepare the agenda for faculty meetings after discussion with the President. The chairperson of the Faculty Executive Committee shall preside at meetings of the faculty.
3. The Faculty Executive Committee shall propose to the faculty for its approval such standing and ad hoc committees as they deem necessary and the membership thereof.
4. The President shall meet ~~regularly~~ **at least once each semester** with the Faculty Executive Committee to discuss items of concern to the faculty.

D. POWERS OF THE FACULTY

1. The faculty shall be responsible for the academic status, role, rights, obligations, and freedoms of the faculty, and such other matters that may affect the welfare of the faculty consistent with this document. The faculty through its Executive Committee may address communications to the Board of Trustees by the President in some document whether it be a Chancellor's Report or some other report in which the vote must be recorded.
2. Review of Academic Senate Actions
The Faculty shall have the right to review any action of the Academic Senate. A special meeting shall be called by a petition of at least ten per cent of the faculty to discuss the issues involved. A majority of those present can initiate a referendum to be held no later than four weeks after the general meeting. If the majority vote is against a referendum, one may still be called by a second petition of one-third of the faculty. The actions of the Academic Senate shall be nullified by a two-thirds vote of the faculty voting by written poll (provided at least fifty [50] percent of the total faculty casts ballots).
3. Initiation of Academic Senate Agenda Items
The faculty may initiate policy, bylaws, or regulations for consideration by the Academic Senate either by a simple majority of a faculty meeting or by a petition of ten percent of the faculty; such items shall be placed on the agenda of the next meeting of the Academic Senate in accordance with the Bylaws of the Academic Senate. The faculty may initiate policy, bylaws, or regulations directly through an initiative referendum by written poll; a special meeting shall be called by a petition of at least ten percent of the faculty to discuss the issues involved; a majority of those present can initiate a written referendum to be held no later than four weeks after the general meeting. If the majority vote is against a referendum, one may still be called by a second petition of one-third of the faculty. The item shall pass with two-thirds vote of the faculty (provided that at least fifty per cent of the total faculty casts ballots).

E. BYLAWS

The faculty may adopt its own bylaws consistent with this Governance Plan.

F. VOTING

All members of the faculty, as defined above, shall have the right to vote in all faculty meetings ~~and general elections.~~ ~~Persons having received notice of nonreappointment shall not have the right to vote at faculty meetings~~ ~~or elections~~ upon immediate receipt of such notice. Persons who have submitted a resignation shall not have the right to vote immediately upon receipt of such resignation. Persons on leave shall retain the right to vote at faculty meetings during the period of their leave.

ARTICLE III DEPARTMENT STRUCTURE

- A. The departmental structure and the present qualifications for voting for departmental chairperson and P & B shall remain as is mandated in Article IX of the Bylaws of the Board of Trustees with the following modifications:
 1. Voting Rights
 - (a) Those who hold administrative positions shall not be permitted to vote within departments with the exception of the Chief Librarian and the ~~Dean of Students~~ ~~Chairperson of the Academic Department within Student Affairs.~~ ~~Chief Student Affairs Officer.~~

~~(b) A department may vote to grant voting rights on, and only on, educational matters in the department to full-time lecturers and instructors who are not otherwise enfranchised in this document at Article II.a. Lecturers with Certificates of Continuous Employment are granted voting rights in department elections for chairpersons and Department P & B Committees.~~

~~(b) All persons who are employed full-time and hold professorial titles; and lecturers and instructors on an annual salary basis in titles on the permanent instructional staff including college laboratory technicians, shall have the right to vote in their respective departments including department elections for chairpersons and Department P & B Committees provided, however, that they have not received notice of non-reappointment, or submitted a resignation.~~

~~(c) At the same time as the election of the department chairperson, the full-time CLT's of each department shall elect a full-time CLT who shall sit with vote at department meetings when matters concerning CLT's (both full-time and adjunct) arise.~~

~~(d) The adjunct CLT's of a department shall elect one (1) adjunct CLT from among them, who shall cast one vote in the election of the full-time CLT from among them.~~

~~(e) At the same time as the election of the department chairperson, adjuncts of each department shall elect a representative who shall sit with vote at department meetings when matters concerning adjuncts arise.~~

2. Conduct of Meetings

(a) The chairperson shall preside at department meetings, and such meetings shall be conducted according to the most recent revised version of Robert's Rules of Order.

(b) Upon petition of at least forty (40) percent of the voters within a department, the Faculty Executive Committee shall appoint a committee to conduct the elections of that department.

B. STUDENT PARTICIPATION

Students shall have the right through their Student Government to petition a department for a presentation on matters of personnel and educational policy.

C. VALUATION AND CONSULTATION

Every three (3) years the President shall consult with the faculty of the Department of the Library concerning the Chief Librarian, and consult with the faculty of the ~~Department of for Student Services Affairs~~ concerning the ~~Dean of Students~~ ~~Chairperson of the Academic Department within Student Affairs~~, ~~Chief Student Affairs Officer~~.

In the selection of department chairpersons where the terms "confer" or "consult" are utilized in this Governance Plan or in the Bylaws of the Board of Trustees, these terms shall be understood to mean that a formal vote by secret ballot is to be taken and shall be forwarded to the Board of Trustees by the President in some document whether it be a Chancellor's Report or some other report in which the vote must be recorded.

D. DEPARTMENT P & B COMMITTEE

~~Plan No. 2, Department P & B Structure~~

1. No more than one of the five regular members of the Department P & B may be non-tenured.
2. The Department P & B must approve by a majority decision all matters of personnel and budget.
3. Upon receipt of a request from Student Government, day or evening, the Department P & B will make itself available within ten (10) school days of written notification for an oral and/or written presentation on matters concerning faculty evaluation.
4. In departments of more than one discipline, an elected representative of each discipline shall serve as a sixth member of the department committee, if that discipline is not represented on the P & B Committee. This representative shall be present, participate, and vote only in actions affecting members and recruitment of members of that specified discipline. Discipline representatives shall be elected at the same time as other P & B members **by the department faculty who are eligible to vote**. The content discipline structure of the department shall be recommended by the department and approved by the Academic Senate.
5. A full-time CLT shall be elected by the full-time CLTs of the department to serve with vote as the sixth member of the Department P & B Committee to be present, participate, and vote only in actions affecting CLTs.

E. ENABLEMENTS

1. The faculty as defined in Article II, Item A, shall be enabled to reconsider and vote an alternative to Article III, Item D, No. 1, should Bylaw provisions mandated by the Board of Trustees be passed which affect the implementation of this structure.
2. The faculty as defined in Article II, Item A, shall be enabled, if it so desires, to create a provision concerning the recall of the department chairperson and members of the Department P & B.

Article IV COLLEGE COMMITTEE ON FACULTY PERSONNEL AND BUDGET

- A. The College Committee on Faculty Personnel and Budget shall be constituted as at present and shall vote on appointments, reappointments, recommendations for tenure, or certificates of continuous employment, promotions, faculty fellowships, research grants requiring college approval, travel funds, matters relevant to salary, and other relevant budgetary items, except that no vote for reappointment shall be required for those serving in the Higher Education Officer Series. A CLT elected by the CLTs shall sit with a vote on the College Committee on Faculty Personnel and Budget when personnel matters concerning CLTs are considered. The Registrar shall sit with vote on the College P & B when personnel matters concerning individuals in the registrar series are being considered. All members of the academic staff who are members of departments shall come before the Departmental and College P & B for reappointment and promotion. Deans who are not attached to departments shall come before the College P & B on questions of promotion.

All presidential personnel recommendations shall proceed through the College Personnel and Budget evaluation process, including consultation and vote by secret ballot, which shall be forwarded to the Board of Trustees by the President in some document, whether it be a Chancellor's Report or some other report in which the vote must be recorded.

- B. The College Committee on Faculty Personnel and Budget may establish a subcommittee on tenure and Certificates of Continued Employment, a subcommittee on promotions, and such other committees as it deems appropriate.

Article V ACADEMIC REVIEW COMMITTEE

The purpose of the Academic Review Committee shall be to hear all appeals regarding personnel actions of Departmental and College P & B Committees. Consideration of an appeal may be requested by the affected individual or referred to the Academic Review Committee by the President.

The membership shall consist of the following: one (1) ~~Academic Dean (full)~~, ~~Chief Academic Officer~~ chosen by the President annually to serve as chairperson without vote; five (5) tenured professors and/or associate professors elected at large annually with a sixth as an alternate.

Elections and service will take place in accordance with the Bylaws of the College Faculty.

No member of the Academic Review Committee may participate in review of an appeal by a member of the same department as the member of the committee. The election shall be conducted by the Faculty Executive Committee in accordance with the Faculty Bylaws

Those members defined as faculty in Article II. A shall constitute the electorate in voting for members of this committee with the exception of administrators, who are not acted upon by the College P & B.

Positive decisions of this committee shall be forwarded directly to the President, or, in the case of negative departmental action, the Academic Review Committee may refer its positive recommendations initially to the College P & B. In the course of meetings, this Committee shall have access to all pertinent information available to the Departmental and College P & B Committees.

All meetings shall be conducted in a manner in accord with the Bylaws of the College Faculty.

Article VI COLLEGE ADVISORY COMMITTEE

The purpose of the College Advisory Planning Committee shall be to act as the primary planning body for Queensborough Community College. In this capacity, it is envisioned that the leadership of the various constituencies on campus will meet and discuss items concerning the state of the College and ways the College can best achieve its stated mission, goals, and objectives. Committee agenda items may be suggested to the Committee by any other constituency covered in the Governance Plan. The powers of this Committee shall not infringe upon the powers and authority of any of the constituencies, organizations or committees operating under either the Governance Plan of Queensborough Community College or the Bylaws of the Board of Trustees.

The membership of this Committee shall consist of the President as Chair, vice president(s), full dean(s), the Faculty Executive Committee, the Academic Senate Steering Committee, **and four members of the Executive Board of the student government or their designees, and the presidents of Day and Evening Student Governments.** ~~In the event of one combined student government, the president and executive vice president of that student government shall be included in the committee membership.~~ The Committee shall meet at least twice a semester or when agenda items are proposed by or upon request of one of its constituent bodies.

Article VII STUDENT SECTION

A. PREAMBLE

1. The student's freedom to learn is a complement of the faculty member's freedom to teach. An academic community dedicated to its ideals will safeguard the one as vigorously as it does the other.
2. Free and open discussion, speculation, and investigation are basic to academic freedom.
3. Students receive their college education not only in the classroom but also in out-of-class activities which they themselves organize through their association with fellow students, the student press, student organizations, and in other ways. It is vital, therefore, that their freedom as campus citizens be respected and ensured.
4. Student government shall have as one of its chief functions the regulation of student-sponsored activities, organizations, publications, etc. In exercising this function, no Student Government should be permitted to allocate resources so as to bar or intimidate any campus organization or publication nor make regulations which violate basic principles of academic freedom and civil liberties.
5. Students should be free, without restraint by either the College administration or the Student Government, to organize and join campus clubs or associations for educational, political, social, religious, or cultural purposes. No such organization should discriminate on grounds of race, religion, color, or national origin. The administration should not discriminate against a student because of membership in any campus organization.

B. CONDUCT STANDARD DEFINED—please see CUNY BOT BYLAWS section 15

- ~~1. Each student enrolled or in attendance in any college, school, or unit under the control of the Board, and every student organization, association, publication, club, or chapter, shall obey the laws of the City, State, and Nation, and the Bylaws and Resolutions of the Board, and the policies, regulations, and orders of the College.~~
- ~~2. The faculty and student body at each college shall share equally the responsibility and the power to establish, subject to the approval of the Board, more detailed rules of conduct and regulations in conformity with the general requirement of this Article.~~
- ~~3. This regulatory power is limited by the right of students to the freedoms of speech, press, assembly, and petition as applied to others in the academic community and to citizens generally.~~

C. STUDENT ORGANIZATIONS

- ~~1. Any group of students may form an organization, association, club, or chapter by filing with the duly elected Student Government organization of the college or school at which they are enrolled or in attendance and with an officer to be designated by the faculty of the college or school at which they are enrolled or in attendance (a) the name and purposes of the organization, association, club or chapter, (b) the names and addresses of its president and secretary or other officers corresponding in function to president and secretary.~~

~~However, no group, organization, or student publication with a program against the religion, race, ethnic origin or identification, or sex of a particular group, or which makes systematic attacks against the religion, race, ethnic origin, or sex of a particular group, shall receive support from any fees collected by the college or be permitted to organize or continue at any college or school. No organization, military or semi-military in character, not connected with established college or school courses, shall be permitted without the authorization of the faculty and the duly elected student government and the Board.~~

- ~~2. Extracurricular activities at each college or school shall be regulated by the duly elected Student Government organization to ensure the effective conduct of such college or school as an institution of higher learning and for the prevention of activities which are hereafter proscribed or which violate the standards of conduct of the character set forth in Section 15.1 of the Bylaws of the Board of Trustees. Such powers shall include:

 - ~~(a) the power to charter or otherwise authorize teams (excluding intercollegiate athletics), publications, organizations, associations, clubs or chapters, and, when appropriate in the exercise of such regulatory power, the power to refuse, suspend, or revoke any charter or other authorization for cause after hearing on notice.~~
 - ~~(b) the power to delegate responsibility for the effective implementation of its regulatory functions hereunder to any officer or committee which it may appoint. Any aggrieved student or group whose charter or other authorization has been refused, suspended, or revoked may appeal such adverse action by such officer or committee of Student Government to the duly elected Student Government. On appeal an aggrieved student or group shall be entitled to a hearing following the due process procedures as set forth in Section 15.3 of the Bylaws of the Board of Trustees. Following such hearing the duly elected Student Government shall have the authority to set aside, decrease, or confirm the adverse action.~~~~

3. Any person or organization affiliated with the College may file charges with the Office of the Dean of Students alleging that a student publication has systematically attacked the religion, race, ethnic origin, or sex of a particular group, or has otherwise contravened the laws of the City, State, or Nation, or any Bylaw or resolution of the Board, or any policy, regulation, or order of the College; the charges must be filed within a reasonable period of time after such occurrence. If the Dean of Students determines, after making such inquiries as he/she may deem appropriate, that the charges are substantial, he/she shall attempt to resolve the dispute, failing which he/she shall promptly submit the charges to the Faculty Student Disciplinary Committee for disposition in accordance with the due process procedures of Section 15.3 of the Bylaws of the Board of Trustees.

If the Committee sustains the charges or any part thereof against the student publication, the Committee shall be empowered to (1) reprimand the publication, or (2) recommend to the appropriate funding bodies the withdrawal of budget funds. The funding body shall have the authority to implement fully, modify, or overrule the recommendations.

4. Each college shall establish a Student Elections Review Committee in consultation with the various Student Governments. The Student Elections Review Committee shall approve the election procedures and certify the results of elections for student governments, and student body referenda.

D. STUDENT GOVERNMENT ACTIVITY DEFINED

1. A Student Government activity is any activity operated by and for the students enrolled at any unit of the University provided, (a) such activity is for the direct benefit of students enrolled at the College; (b) that participation in the activity and the benefit thereof is available to all students enrolled in the unit or Student Government thereof; and (c) that the activity does not contravene the laws of the City, State, or Nation, or the published rules, regulations, and orders of the Board of Trustees or the duly established College authorities or contravene the Governance document.

E. STUDENT GOVERNMENT ACTIVITY FEE DEFINED

1. The Student Government Activity Fee is that portion of the Student Activity Fee levied by resolution of the Board of Trustees which has been established for the support of Student Government activities. The existing Student Government Activity Fee now in effect shall continue until changed.

F. STUDENT ACTIVITY FEES *

1. Student Activity Fees, including Student Government Activity Fees collected by a college of the University, shall be deposited in a college central depository and allocated by an approved College Association. A College Association shall be considered approved for purposes of this section if (a) its charter or certificate of incorporation and bylaws are approved by the President and filed with the Secretary of the Board of Trustees, and (b) no less than one-half of the members of the College Association and of its governing board are students in good standing enrolled at the College, and (c) the student membership of the College Association and its governing board are elected by the student body on a basis which approximates representation proportional to the contribution to student activity fee income from the members of each Student Government, or the student membership is selected by the respective Student Governments on the same basis.
2. The College and the College Association and Student Governments shall employ generally accepted accounting and investment procedures in the management of all funds. All funds for support of Student Activities are to be disbursed only in accordance with approved budgets and be based on written documentation. The requisition for disbursement of funds must contain two signatures: one, the signature of a student with responsibility for the program; the other, the signature of an approved representative of the body governing the budget process of the student activity fee or portion thereof.

All revenues generated by student activities funded through Student Activity Fees, including Student Government Activity Fees, shall be deposited to the credit of the body governing the budget process of the Student Activity Fee or portion thereof and not retained by the group or club running the program except where specific authorization has been granted by the governing body.

3. Student Government Activity Fees shall be allocated by the duly elected Student Government or each Student Government where more than one duly elected Student Government exists, for its own use and for the use of the student organizations, as specified in Section 15.2 of the Bylaws of the Board of Trustees provided, however, that the allocation is based on a budget approved by the duly elected Student Government after notice and hearing.
4. Where more than one duly elected Student Government exists, the College Association shall allocate the Student Government Activity Fees to each Student Government in direct proportion to the amount collected from the members of each Student Government.
5. The President of the College shall have the authority to veto any Student Activity Fee including the Student Government Activity Fee allocation, which in his or her opinion requires further clarification or contravenes the laws of the City, State, or Nation, or any bylaw or resolution of the Board, or any policy, regulation, or order of the College. The veto shall not be based on differences of opinion regarding the wisdom or worth of such planned activity. If the College President chooses to exercise a veto, he or she shall consult with the General Counsel and Vice Chancellor for Legal Affairs and promptly communicate his/her decision to the allocating body.
6. A referendum proposing changes in the Student Activity Fee shall be initiated by a petition of at least ten (10) percent of the appropriate student body and voted upon in conjunction with Student Government elections.
- (a) Where a referendum seeks to earmark Student Activity Fees for a specific purpose or organization without changing the total Student Activity Fee, the results of the referendum shall be sent to the College Association for implementation.
- (b) Where a referendum seeks to earmark Student Activity Fees for a specific purpose or organization by changing the total amount of Student Activity Fees, the results of such referendum shall be sent to the Board of Trustees by the President of the College together with his/her recommendation.
7. Any member of the Student Government may present in writing charges of misuse of the Student Activity Fees, to the committee, which shall meet and review the case, and if the committee deems so necessary shall hear the charges formally and allow both the accusing and accused parties to present their sides.

G. DISCLOSURE

1. The College President shall be responsible for the full disclosure to each of the Student Governments of the College of all financial information with respect to Student Activity Fees.
2. The Student Governments shall be responsible for the full disclosure to its constituents of all financial information with respect to Student Government Activity Fees.
3. The College Association shall be responsible for the full disclosure of all financial information to its membership, to the College, and to the Student Governments with respect to all of its activities, including auxiliary enterprises.
4. For purposes of the foregoing paragraphs, full disclosures shall mean the presentation each semester of written financial statements which shall include, but need not be limited to, the source of all fee income by constituency, income from other sources creditable to Student Activity Fee accounts, disbursements, transfers, past reserves, surplus accounts, contingency and stabilization funds. Certified independent audits performed by a public auditing firm shall be conducted at least once a year.

H. C. STUDENT-FACULTY DISCIPLINARY COMMITTEE please see CUNY BOT BYLAWS section 15

1. ~~The Student-Faculty Disciplinary Committee shall consist of six students elected in an annual election, in which all students enrolled at the College shall be eligible to vote and serve. The six (6) members of the faculty committee shall be elected in an annual election, in which all persons with faculty rank or faculty status who do not hold administrative positions nor are part of the staff of the Dean of Students, shall be eligible to vote or serve. No member of the committee shall be allowed to serve more than two terms of office consecutively.~~
2. ~~The committee shall elect from amongst its members a chairperson, who shall preside at all meetings and hearings. The committee may adopt bylaws, and amend said bylaws, provided that said bylaws are consistent with this article. When in hearing, the committee shall consist of three student members picked by lot, and three faculty members picked by lot, and the chairperson, who shall preside.~~
3. ~~The Student-Faculty Disciplinary Committee shall have the power and responsibility to re-evaluate the rules of conduct and regulations of the College, in conformity with the general requirements of this article, at the end of each term, taking into account all the disciplinary actions brought by any member of the College community against any other member of the student body.~~
4. ~~Student vacancies in the committee shall be filled by the appropriate student organization; vacancies shall be filled in accordance with appropriate procedure.~~
5. ~~Any member of the committee may request the committee to come to session, but only the chairperson may call the committee into session for the purposes of a hearing. A quorum shall consist of two-thirds of each of the respective represented factions.~~
6. ~~Any persons who are to participate as witnesses at the hearing, or were involved with the preferring of charges, or who may participate in the appeals procedure, or in any way may have a direct interest in the outcome of the hearing shall disqualify themselves from that case. The other members of the committee shall decide if there is ever a question of conflict of interest in a member.~~

I. STUDENT DISCIPLINARY PROCEDURE *

1. ~~Any charge, accusation, or allegation which is to be presented against, or by, a student, and if proved, would subject the party to disciplinary action, must be submitted promptly in writing and in complete detail to the Office of the Dean of Students, by the person or persons making the charge.~~

~~Notice of the charge shall be personally delivered, or sent by registered mail, to the address appearing on the College records, and shall contain:~~

- (a) ~~A complete and itemized list of the charges, rules, bylaws, or regulations the student is charged with violating, and the possible penalties.~~
- (b) ~~The time, date, and place of meeting with the ombudsman, which shall be as soon as practicable.~~
- (c) ~~A copy of the student's rights during the meeting and proceedings.~~
2. ~~The Dean of Students shall then turn the case over to the ombudsman who shall employ the following procedure:~~
 - (a) ~~The ombudsman will make sure the accused party shall be made fully aware of the charges and possible consequences, as well of the student's rights, at the meeting.~~
 - (b) ~~The ombudsman will be responsible for trying to resolve the matter by mutual agreement, and where warranted, to agree on any disciplinary action to be taken.~~
 - (c) ~~If an agreement is reached, the ombudsman shall then report it in writing to the Office of the Dean of Students with copies going to both the accused and accusing parties; and then the Office of the Dean of Students shall be responsible for implementing any actions that may have been agreed to.~~
3. ~~If no agreement is reached, or if the accused party fails to appear, then the ombudsman shall turn the matter over to the chairperson of the Student-Faculty Disciplinary Committee, which will follow the established procedure for hearings, which shall include the following:~~
 - (a) ~~Notice of the hearing must be sent via registered mail, not less than five school days before the hearing. The notice shall also advise the party of his right to have legal counsel and witnesses participate at the hearing, and shall include a copy of the letter previously sent as outlined in this section.~~
 - (b) ~~At the hearing the charges as were sent by mail will be read to the student. The student will then be allowed either of two courses of action: (1) He/she may plead guilty, and be afforded an opportunity to explain before the committee shall decide on a penalty; or, (2) the student may plead not guilty or remain silent, in which case the hearing shall continue with the accusing party going first and both sides having the opportunity to introduce evidence and cross-examine the witnesses.~~
 - (c) ~~There will be a record kept by a recorder at each disciplinary hearing, which will be transcribed into written copy by the College, and both the recorded copy and the written copy will be made available to the student, without cost.~~
 - (d) ~~The student shall have the option of a closed or open hearing but the majority vote of the committee may close a hearing that is effectively being disrupted by the public.~~
 - (e) ~~The findings of the committee shall be forwarded in writing to the Dean of Students, who shall be responsible for implementing any actions taken by the committee.~~
 - (f) ~~The Dean of Students shall forward a copy of the committee's findings immediately to the accused and accusing parties.~~

J. OMBUDSMAN

~~The students may nominate an ombudsman, but the candidate must have the approval of both the faculty and the administration Academic Senate. The student associations must be responsible for finding the necessary funds to support this position. This appointment shall be on a yearly basis. An ombudsman shall function both as a mediator and arbitrator. (Decisions of the arbitrator shall be nonbinding.)~~

~~The ombudsman will be responsible for working out grievances between students and any other members of the College community where avenues for resolving grievances or means of justification do not presently exist. He/she shall also be responsible for directing students to the proper channels where they exist rather than carrying out the grievance.~~

K. STUDENT RIGHTS

~~During the disciplinary procedure, a student will have the following rights:~~

1. ~~He shall be warned that anything said at the hearing or meetings with the ombudsman may be used against the party at a non-College hearing; therefore, the party may have legal counsel present to advise him.~~
2. ~~A statement that the accused party may remain silent without the assumption of guilt.~~
3. ~~A statement that the ombudsman is precluded from testifying in a College hearing regarding information received during the interview.~~

L. SUSPENSION

1. ~~A president or full dean may, in emergency or extraordinary circumstance, temporarily suspend a student or the privileges of a student organization or group, for cause (such as, that their actions will immediately obstruct, interfere, or impede others from the orderly use of the College facilities, or in the achievement of the College's purposes as an educational institution as outlined in~~

~~this article) for a period of one day pending a preliminary hearing of the Dean of Students and one faculty member, or his or her alternate, and one student, or his or her alternate, of the Faculty Disciplinary Committee, pending formal hearing which must take place within five school days.~~

Article VIII AMENDMENTS

A proposal to alter specific provisions of this Governance document of Queensborough Community College may be initiated by the President or by a two-thirds vote of the Academic Senate. Such proposals shall be submitted to referendum in separate elections of the faculty (to include college laboratory technicians) and students as soon as possible. If a majority of at least fifty (50) percent of the eligible voters of the faculty agrees to the proposed amendment, it shall be deemed approved by the faculty. If a majority of at least fifty (50) percent of the eligible voters of the students agrees to the proposed amendment, it shall be deemed approved by the students. If approved by both parties and concurred to by the President, the amendment shall be adopted. If, however, one of the parties does not have at least fifty (50) percent of its members voting, the recommendation for adoption of the proposed amendment will be decided by the party which has at least fifty (50) percent of its members voting, and by the approval of the President. If neither party has fifty (50) percent of its members voting, the proposed amendment is deemed defeated.

* Article VII (Student Section) of the Governance Plan, to the extent its provisions are inconsistent with the Bylaws of the Board of Trustees of The City University of New York, is superseded by the Board Bylaws. The Board Bylaws no longer permit inconsistent provisions of college governance plans to supersede Articles XV (Students) and XVI (Student Activity Fees and Auxiliary Enterprises) of the Board Bylaws. Board Bylaw Articles XV and XVI should therefore be reviewed to determine if they supersede Article VII of the Governance Plan, including superseding provisions as to the composition of the college association and the student disciplinary committee, and the roles of the dean of students and the ombudsman in the student disciplinary procedure. (See Board Minutes of April 25, 1983, Cal. No. 7.A., February 24, 1992, Cal. No. 6.B., and March 23, 1992, Cal. No. 6.A.)

Adopted by the Board of Higher Education on November 22, 1976, Cal. No. 5.A. As amended by the Board of Trustees on June 23, 1980, Cal. No. 5.D.; and October 25, 1999, Cal. No. 6.A.

G. THE CITY COLLEGE OF NEW YORK - AMENDMENT TO THE GOVERNANCE PLAN:

RESOLVED, That the amendment to the Governance Plan of The City College of New York, attached hereto as Appendix 1, be adopted effective July 1, 2012.

EXPLANATION: The City College of New York ("CCNY") proposes a change in the promotion procedure outlined in the Interim Amendment (dated March 27, 1995) to its Governance Plan. The CCNY Faculty Senate approved this amendment on March 15, 2012, and it is recommended by the College President.

Under the existing promotion procedure pursuant to the Board Bylaws (Section 9.6), and the Interim Amendment dated March 27, 1995 to the CCNY Governance Plan (the "1995 Amendment"), promotion at the department level is voted on by the department promotions committee, which is composed of all faculty of higher rank than the candidate considered. In addition, the promotions committee is chaired by the department chairperson. If the chairperson does not hold equal or higher rank than the candidate considered, the most senior person of that department by reason of service becomes the chair of the promotions committee.

The proposed amendment states that, if the department chairperson cannot chair the promotions committee because of his or her rank, the department faculty eligible to vote shall elect a member of the highest rank to be chairperson of the promotions committee, rather than have the most senior person automatically serve as chairperson. Thus, the proposed change will ensure that the department as a whole participates in the election of the chairperson of a promotions committee and chooses a chair among the faculty of the highest rank to serve as chairperson of a promotions committee, rather than defaulting to the most senior faculty member by virtue of service.

In addition, the College wishes to consolidate the 1995 Amendment, which had remained separate, with the existing text of Article IX of the Governance Plan (Departmental Structure), and eliminate certain outdated provisions.

THE CITY COLLEGE
REVISED GOVERNANCE PLAN
ARTICLE IX
Departmental Structure

Each Department and Program shall have a set of Bylaws, under which it will operate, which shall be ratified by a two-thirds vote of the members with Faculty rank of the Department. The Bylaws shall, minimally, include an Article on an executive committee in which, in each Department, the size shall be determined by the total number of Professors, Associate Professors, Lecturers, Instructors, and the full-time equivalent of part-time staff in comparable titles: five Faculty members for Departments with seventy-five or fewer; seven Faculty members for Departments with more than seventy-five but fewer than one-hundred; and nine Faculty members for Departments with one-hundred or more. The Chairman of the Department shall be a member of the Executive Committee, and he will also automatically serve as Chairman of the Executive Committee. He and the other members of the Executive Committee are to be elected at the same time, and for a term of three years. A majority of the Executive Committee shall consist of tenured persons in the Department. The Executive Committee shall serve as the Appointments Committee, the Personnel and Budget Committee (except as set forth below with respect to Faculty Tenure Procedures), and the Committee on Educational Policy of the Department.

The Executive Committee shall consider all matters related to appointments to the instructional staff, and reappointments thereto without tenure; applications for sabbatical and other leaves; and the Departmental budget as submitted for approval by the Chairman. It shall transmit its recommendations to the appropriate Personnel and Budget Committee.

The Bylaws of the Department shall also include a minimum requirement for stated meetings, and shall be consistent with the regulations of the Board of Trustees and The College. Department Bylaws, which shall exist as of the adoption of this document, shall be brought into conformity with this Governance plan.

To ensure student involvement on questions of appointments, reappointments and tenure, the voting Faculty members of each Department must select one of the following plans, by a vote of a majority of those eligible to vote at a regular meeting:

1. that there be elected annually, from among the Department majors and graduate students, two students of at least junior status, who shall sit, with voice and vote, on the Departmental Executive Committee and the Departmental Tenure Committee; or
2. that five students from among the Department majors and graduate students, who shall be of at least junior status, shall sit as a committee in their own right, advisory to the Executive Committee, on matters of appointment and reappointment, and advisory to the Departmental Tenure Committee on matters of tenure, and who may transmit their votes to the appropriate Personnel and Budget Committee. They shall also communicate with the appropriate College or School committees on curriculum and teaching.

Under either "plan a" or "plan b" the nomination and election procedures shall be carried out during the month of April, under the aegis of the Vice Provost for Student Affairs. For students to be legally elected under "plan a" the following minimal participation is required:

- a. in Departments with fewer than one-hundred majors and graduate students, no less than thirty majors and graduate students or fifty percent, whichever is smaller, must vote;
- b. in Departments with more than one-hundred majors and graduate students, thirty percent must vote.

If this fails, then the Departments shall be under "plan b" provided that at least fifteen percent of the majors and graduate students in the Department have voted. If none of the previous conditions are met, the Vice Provost for Student Affairs will make recommendations to the President as to the appropriate structure. At least each time, at the election of the Chairman, the Department shall consider its choice of either "plan a" or "plan b."

A new Department may, at the discretion of the President, be exempted from the requirements herein for a maximum of five years after its establishment.

Programs, Centers, and Institutes shall, to the extent appropriate, conform to the guidelines for Department governance described herein.

FACULTY TENURE AND PROMOTION PROCEDURES

A. Promotion Procedures.

Promotions shall be recommended by departmental promotion committees to the School or Divisional Personnel and Budget ("P&B") Committee, which shall make recommendations to the Review Committee (College-wide P&B Committee), which shall make recommendations to the President. (The School/Division P&B's generally consist of the department chairpersons. The voting members of the Review Committee consist of the Academic Vice President (Provost), the Deans of the several Schools, and the full Deans of the College of Liberal Arts and Sciences.) There shall be established in each department promotion committees to consider promotions for each rank, including full professor. All members of the department of higher rank shall be included on the promotions committee of a faculty member who applies for promotion. The department chairperson shall be the chairperson of each promotions committee, except in the event the department chairperson does not hold equal or higher rank than the candidate seeks. In that event, the members of the department will elect a faculty member of the highest rank to be chairperson of the promotions committee. The positive votes of a majority of those eligible to vote, with the exception of faculty members on approved leaves of absence, unless such faculty members on approved leave notify the department chairperson of their intention to participate as voting members and attend relevant meetings of the departmental promotions committee, shall be required for an affirmative recommendation for promotion.

B. Tenure Procedures.

Tenure of tenure-track faculty members shall be recommended by departmental tenure committees to the School or Divisional Personnel and Budget ("P&B") Committee, which shall then make recommendations to the Review Committee (College-wide P&B Committee), which shall then make recommendations to the College President. In the case of departments that are not part of a school or division, tenure of tenure-track faculty members shall be recommended by departmental tenure committees to the Review Committee (College-wide P&B Committee), which shall then make recommendations to the College President.

There shall be established in each department a departmental tenure committee to consider reappointment with tenure (including reappointment with early tenure) of tenure-track faculty members. All tenured faculty members of the department shall be included as voting members of the departmental tenure committee of a faculty member who is eligible for reappointment with tenure or who applies for early tenure, with the exception of faculty members on approved leaves of absence, unless such faculty members on approved leave notify the department chairperson of their intention to participate as voting members and attend relevant meetings of the departmental tenure committee. The department chairperson shall be the chairperson of each departmental tenure committee, except in the event that the department chairperson is not tenured and has been appointed department chairperson pursuant to a waiver granted by the Board of Section 9.1.b of the Board Bylaws, in which event the tenured faculty member who is most senior by reason of service as a tenured faculty member in the department shall be the chairperson of the departmental tenure committee. The positive votes of a majority of those eligible to vote shall be required for an affirmative recommendation for tenure.

C. Advisory Panels and Internal and External Evaluators.

The several departmental committees on tenure and promotion shall establish advisory panels consisting of three persons in the department who hold higher rank than the candidate, in the case of promotion, or three tenured persons in the case of tenure; one member of each advisory panel shall be chosen from a list of three submitted by the candidate. Where a department lacks a sufficient number of faculty who hold higher rank or tenure, qualifying members from other departments may be included in consultation with the dean, and subject to approval by the College President. The role of the advisory panel shall be to develop the departmental list of

internal and external evaluators. The chairperson shall solicit letters of evaluation from all persons on the advisory panel's list, as well as from all persons on the candidate's list.

D. Chairperson's Report.

The chairperson of the department shall prepare a chairperson's report for each promotion and tenure candidate, except for promotion of candidates to a higher rank than that held by the chairperson, in which event the chairperson's report shall be written by the chairperson of the promotions committee. The chairperson's report shall contain the chairperson's summation of the candidate's record and evaluations and the chairperson's recommendation on the personnel action.

E. Confidentiality.

The name and evaluations of the external and internal evaluators shall be treated as confidential and shall not be available to the candidate.

F. Appeals.

The negative vote of the aforementioned committees on a promotion or tenure candidacy may be appealed to the next higher committee, up to the College President.

H. CUNY SCHOOL OF LAW - NAMING OF THE DAVE FIELDS AUDITORIUM:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the "Dave Fields Auditorium" at the CUNY School of Law.

EXPLANATION: Dave Fields, University Dean and Special Counsel to the Chancellor, has been devoted to the CUNY School of Law since before its founding: he was the staff director of the Queens President's Advisory Commission for the establishment of the "University School of Law at Queens College," as it was then conceived. He was responsible for much of the behind-the-scenes work to found the CUNY Law School, the nation's first law school devoted exclusively to public interest law.

In addition to his role as University Dean, Fields also serves as parliamentarian on the CUNY Law faculty. A very special advocate for the CUNY Law School, in 2002 Fields was awarded the Dean's Medal for his support.

In 2012, Dave Fields bequeathed \$1 million to the CUNY School of Law. The funds will be used equally to support student scholarships and faculty and staff development. His generosity, through this gift, will have an enormous impact on CUNY Law's ability to provide critical financial support to students and faculty alike.

In recognition of his extraordinary service to the CUNY School of Law and his generous bequest, it is recommended that the auditorium on the second floor of the Law School's new building at 2 Court Square in Long Island City be named the "Dave Fields Auditorium."

I. THE CITY COLLEGE OF NEW YORK - NAMING OF THE MARTIN AND MICHELE COHEN DEAN OF SCIENCE, THE COHEN PROFESSORSHIPS AND THE COHEN FUND FOR SCIENCE:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Martin and Michele Cohen Dean of Science, Cohen Professorships and the Cohen Fund for Science.

EXPLANATION: Martin Cohen, a 1970 City College alumnus, and his wife Michele pledged \$10,000,000 to The City College of New York's 21st Century Foundation for use by the Division of Science. This gift will create the College's first endowed deanship, at least two endowed professorships and a Fund for Science intended to fund the start-up costs of the Dean and Professors. In recognition of their generosity, the College requests that the Deanship and Professorships be respectively named the "Martin and Michele Cohen Dean of Science" and the "Cohen Professorships" in perpetuity, and the "Cohen Fund for Science" for the duration of its existence.

Mr. Cohen was elected to the City College 21st Century Foundation 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 honored at the College's 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.

J. BARUCH COLLEGE - NAMING OF THE WILLIAM NEWMAN DEPARTMENT OF REAL ESTATE IN THE ZICKLIN SCHOOL OF BUSINESS:

RESOLVED, That the Board of Trustees of The City of University of New York approve the naming of the "William Newman Department of Real Estate" within the Zicklin School of Business at Baruch College.

EXPLANATION: William Newman (Class of 1947) has made outstanding contributions and commitments to the real estate programs in the Zicklin School of Business, including funding the Steven L. Newman Real Estate Institute and the William Newman Chair in Real Estate. Mr. Newman has also provided gifts that culminated in the naming of the William and Anita Newman Library, the William and Anita Newman Conference Center and Steven L. Newman Hall. In 2004, a pledge of \$24 million from the Newmans and their family foundation, the largest gift in the College's history, allowed the College to expand its curriculum in real estate, leading to the creation of a new degree and hiring of faculty, as well as to continue the activities of the Steven L. Newman Real Estate Institute, which is housed in Steven L. Newman Hall.

Mr. Newman continues an extensive volunteer career with the College that includes service on the Baruch College Fund Board, the Steven L. Newman Real Estate Institute Board, and the Department of Real Estate Board. He was recently honored with the 2012 President's Medal at the Annual Bernard Baruch Dinner.

In acknowledgement of the service and generosity of William Newman, and in honor of his 85th birthday, Baruch College requests that the Department of Real Estate in the Zicklin School of Business be named the "William Newman Department of Real Estate."

K. BARUCH COLLEGE - NAMING OF THE WILLIAM M. NEWMAN DIRECTOR OF THE JEWISH STUDIES CENTER:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the "William M. Newman Director of the Jewish Studies Center" at Baruch College.

EXPLANATION: William Newman graduated in 1947 from Baruch College with a BBA and received an honorary doctorate from the College in 1997. His support for Baruch is extensive: he has funded the Steven L. Newman Real Estate Institute as well as the William Newman Chair in Real Estate and the Newman Real Estate Programs. He has provided gifts culminating in the naming of the William and Anita Newman Library, the William and Anita Newman Conference Center and the Newman Vertical Campus.

Mr. Newman is the founder and former chairman of New Plan Excel Realty Trust, one of the nation's largest real estate companies, which focuses on the ownership, management, acquisition, development and redevelopment of community and neighborhood shopping centers.

Mr. Newman continues an extensive volunteer career with the College that includes service on the Baruch College Fund Board, the Steven L. Newman Real Estate Institute Board and the Department of Real Estate Board. He was recently honored with the 2012 President's Medal at the Annual Bernard Baruch Dinner.

William Newman has pledged \$2 million to endow the directorship for the Jewish Studies Center. The gift will assist Baruch College in recruiting or retaining an outstanding senior faculty member for the Jewish Studies Center.

L. BARUCH COLLEGE - NAMING OF THE RICHARD A. SAMBER '63 LECTURE HALL:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of Room 5-160 in the Newman Vertical Campus at Baruch College the "Richard A. Samber '63 Lecture Hall."

EXPLANATION: Richard Samber graduated from Baruch College in 1963 with a BBA in Accounting. Mr. Samber served as controller at Weight Watchers International, Inc. He spent 25 years with that company, later serving as Vice President of Finance and Administration and Chief Financial Officer.

Mr. Samber has named Baruch College as the sole beneficiary of a second-to-die life insurance policy in the amount of \$1,500,000. The gift will be made through the Key Employee Charitable Award Program of H.J. Heinz Company (Weight Watchers' parent company).

In recognition of his generosity, Baruch College wishes to name Room 5-160 of the Vertical Campus the "Richard A. Samber '63 Lecture Hall."

M. BARUCH COLLEGE - NAMING OF THE SANDRA AND LAWRENCE SIMON CONFERENCE ROOM:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the "Sandra and Lawrence Simon Conference Room" in Room 14-220 of the Newman Vertical Campus at Baruch College.

EXPLANATION: Lawrence Simon graduated from Baruch College in 1965. Mr. Simon is a former president of the Board of Trustees of the Baruch College Fund. He served as co-chair of the Baruch Means Business Campaign, the college's largest capital campaign to date. He was awarded the Baruch Distinguished Alumnus Award in 2007.

Mr. Simon co-founded Ivy Asset Management Corporation and acted in various capacities as its vice chairman, president and chief operating officer from May 1984 to December 2009, when he retired. Through its funds and advisory relationships, Ivy managed over \$15 billion of investor assets. In the fall of 2000, Ivy became a wholly-owned subsidiary of The Bank of New York Company.

Mr. Simon has pledged \$2.5 million to the Baruch College Fund. In recognition of his generosity, the College recommends that Room 14-220 of the Newman Vertical Campus be named the "Sandra and Lawrence Simon Conference Room."

N. QUEENS COLLEGE - NAMING OF THE DINA AXELRAD PERRY PROFESSORSHIP IN ECONOMICS:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the "The Dina Axelrad Perry Professorship in Economics."

EXPLANATION: Dina Axelrad Perry, who holds Bachelor's and Master's degrees in Economics from Queens College, is a member of the Board of Trustees of the Queens College Foundation and also serves on its Investment Committee. To date, Mrs. Perry has contributed \$482,194 to establish the "The Dina Axelrad Perry Professorship in Economics."

Mrs. Perry has had a long career as a senior portfolio manager, working at Chase and Neuberger Berman before joining Capital Research and Management Company, located in Washington, D.C. She is currently a Senior Vice President with that firm, which is internationally recognized in the field of portfolio management.

In recognition and honor of Mrs. Perry's ongoing commitment and service to Queens College as a Trustee and financial advisor, the College recommends the naming of "The Dina Axelrad Perry Professorship in Economics."

O. QUEENS COLLEGE - NAMING OF THE FLORENCE AND BERNARD FRIEDMAN ENDOWMENT FOR THE SOCIAL SCIENCES AND THE FLORENCE FRIEDMAN ROOM:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of "The Florence and Bernard Friedman Endowment for the Social Sciences" and "The Florence Friedman Room" at Queens College.

EXPLANATION: Linda and Mitchell Singer, both graduates of Queens College, have donated \$100,000 to the College to establish "The Florence and Bernard Friedman Endowment for the Social Sciences." Their gift is in memory of Linda Singer's parents, Bernard and Florence Friedman, also Queens College alumni, and to honor the service of Florence

Friedman, who worked at the College for many years in the Psychology Department, in the President's Office, and for a number of Deans in the Division of Social Sciences.

Linda and Mitchell Singer's gift will support scholarships and new initiatives in the Social Science Division of Queens College. In addition, a plaque has been inscribed in Florence Friedman's memory and hung outside Powdermaker Hall 335, where she worked as Assistant to the Dean of the Division of Social Sciences. The College therefore requests that Room 335 in Powdermaker Hall be named "The Florence Friedman Room."

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

COLLEGE	NAME	DEPARTMENT	EFFECTIVE
The Graduate Center	Dagmar Herzog	History	September 1, 2012
Hunter College	Jeffrey T. Parsons	Psychology	September 1, 2012
John Jay College of Criminal Justice	John Matteson	English	September 1, 2012

Q. JOHN JAY COLLEGE OF CRIMINAL JUSTICE - NAMING OF THE ANYA AND ANDREW SHIVA GALLERY:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the art gallery in the new building at John Jay College of Criminal Justice as the "Anya and Andrew Shiva Gallery."

EXPLANATION: Andrew Shiva, an alumnus of John Jay College with a B.A. and M.A. in Forensic Psychology, joined the John Jay College Foundation Board in 1996. Mr. Shiva has pledged \$5 million to support the College's Doctoral Program in Forensic and Clinical Psychology, of which \$2,130,000 has been paid to date. In recognition of Mr. Shiva's philanthropic commitment, the College requests that exhibition space in its new building be named the "Anya and Andrew Shiva Gallery."

R. (ADDED ITEM) COLLEGE OF STATEN ISLAND - NAMING OF THE TOMÁS D. MORALES BASEBALL FIELD:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the baseball field at the College of Staten Island as the Tomás D. Morales Baseball Field.

EXPLANATION: Dr. Tomás D. Morales, the third President of the College of Staten Island, has served in that capacity since 2007. During his tenure, President Morales has been a staunch supporter of student athletics as a way to promote student success and build the campus community. To enhance campus support for intercollegiate and intramural sports, President Morales instituted the CSI Scholar-Athlete Honor Roll and the CSI Future of Athletics Advisory Task Force. The College also hosted 9 CUNYAC Championships. President Morales was honored with the 2011-12 CUNYAC Ellis Bullock Jr. Award and the 2012 CSI Athletics Distinguished Service Award for his commitment to excellence in education and student athletics.

In recognition of President Morales' service to the University, to the College of Staten Island, and his commitment to its students, it is proposed that the baseball field at CSI be named in his honor.

S. (ADDED ITEM) CUNY SCHOOL OF PUBLIC HEALTH - APPOINTMENT OF NEAL L. COHEN AS ACTING DEAN:

RESOLVED, That the Board of Trustees of The City University of New York approve the appointment of Dr. Neal L. Cohen as Acting Dean of the CUNY School of Public Health at Hunter College, effective July 2, 2012.

EXPLANATION: Dr. Kenneth Olden, the Founding Dean of the CUNY School of Public Health at Hunter College has stepped down to take a position with the United States Environmental Protection Agency. Since January 2011, Dr. Neal L. Cohen has served as Acting Associate Provost for Health and Social Welfare at Hunter College. During that time he has proven himself to be an effective leader and administrator. Prior to coming to Hunter, Dr. Cohen held positions in academia, government and the private sector. From 2002 to 2007, he served as Senior Vice President of Medicine Development Company and as Executive Director of AMDeC Center on Biodefense. From 1998 to 2002, Dr. Cohen was Commissioner of the New York City Department of Health, and simultaneously served as Commissioner of the New York City Department of Mental Health, Mental Retardation and Alcoholism Services. From 1989 to 1996, he held the position of Vice Chairman and Clinical Director at Mount Sinai Medical Center. In addition, for over 20 years Dr. Cohen has served in teaching positions at both Mount Sinai School of Medicine and New York University School of Medicine. Dr. Cohen received his M.D. from New York University and a B.A. from Columbia University.

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

A. THE CITY UNIVERSITY OF NEW YORK - LEASE AGREEMENT AT 215 WEST 125TH STREET, NEW YORK, NEW YORK:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a ten-year lease, for approximately 7,200 rentable square feet of space, at 215 West 125th Street, New York, New York, for use by the CUNY Center for Innovation and Entrepreneurship. The lease shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The CUNY Center for Innovation and Entrepreneurship is a new CUNY facility established by the Central Office and the Vice Chancellor for Research to promote entrepreneurship and provide assistance, essential services, and appropriate space to start-up companies created by CUNY faculty. The space at 215 West 125th Street was selected after an extensive site search. The space will house offices for the Center and provide short-term office space to start-up companies.

The proposed new lease will be for a ten-year period based upon the following terms:

Annual Base Rent:

First Five Year Period: Not to exceed: \$273,600.00 (\$38.00/RSF) per annum.

Second Five Year Period: Not to exceed: \$295,200.00 (\$41.00/RSF) per annum.

The Landlord shall perform certain improvements to the space specified by the University. The University will reimburse the landlord for its share of the University requested improvements. The Landlord will be responsible for exterior, structural and interior repairs and cleaning. The University will be responsible for increases in real estate taxes and direct operating expenses over a base year.

B. MEDGAR EVERS COLLEGE - LEASE RENEWAL AT 1665 BEDFORD AVENUE, BROOKLYN, NEW YORK:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a five-year lease renewal, for approximately 7,000 rentable square feet of space, at 1665 Bedford Avenue, Brooklyn, New York, on behalf of Medgar Evers College. The lease shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Medgar Evers has been a tenant of this building since mid-2002. The building houses a bookstore and the admissions service center. The current lease expires on August 31, 2012. The current base rent is \$106,838 (\$15.26/RSF).

The University and the Landlord have agreed to renew the lease for a new five year period at an annual rental not to exceed \$140,000 (\$20.00/RSF).

The Landlord will continue to be responsible for real estate taxes, exterior, structural, roof and interior repairs. The University will be responsible for the cleaning.

C. HOSTOS COMMUNITY COLLEGE - MASTER PLAN AMENDMENT:

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

EXPLANATION: In 1984, the Board of Trustees of The City University of New York approved a Master Plan for Hostos Community 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.

Hostos Community College is located on a 5.8 acre campus in a triangular shaped section of the South Bronx bounded by Interstate 87 and the East River on the west and the Metro North Railroad on the east and north. The main academic buildings of the campus, the Allied Health Building, East Academic Complex and 500 Grand Concourse, are located along the Grand Concourse south of 149th Street. The campus has been expanding to the west along Walton Avenue with the building of the Savoy Building at 149th Street and conversion of an old garage for support functions at 146th Street. Two trailer sites in the same area are utilized by the Campus Facilities Department and the Hostos Immigration Center. The most recent acquisition for the campus is 135 East 144th Street, "the Carpet Building," at the corner of East 144th Street and Walton Avenue. These facilities provide a total of 348,029 net assignable square feet (NASF).

Based on the Fall 2009 enrollment of 4,488 full-time equivalent students (FTES), Hostos Community College has a current space need of 470,177 net assignable square feet (NASF) when benchmarked against similar community colleges. The current conditions represent a deficit of 122,148 NASF.

This Master Plan Amendment is based on a projected 2020 college enrollment of 6,528 FTES, requiring a total of 540,390 NASF. The projected conditions represent a deficit of 192,361 NASF (350,000 GSF). To meet this projected space need, the Master Plan Amendment calls for new construction and the renovation of existing facilities.

The City University Construction Fund (CUCF) Board of Trustees approved the selection of the design firm of Mitchell Giurgola Architects on October 22, 2008, Item 3, Resolution No. 2015.

D. HUNTER COLLEGE - SCIENCE AND HEALTH PROFESSIONS PROJECT:

RESOLVED, That the Board of Trustees of the City University of New York (the "Board") authorizes the City University of New York ("CUNY") to undertake a public-private project (the "Project") with Memorial Sloan-Kettering Cancer Center ("MSKCC") for: (i) the acquisition of vacant land at 525 East 73rd Street (Manhattan Block 1485, Lot 15) (the "73rd Street Property") from the New York City Economic Development Corporation ("NYCEDC"); and (ii) the joint development with MSKCC of the 73rd Street Property, where CUNY will develop on its portion of the 73rd Street Property the Hunter College Science and Health Professions building (the "Hunter College Science Building"); and be it further

RESOLVED, That the Board authorizes CUNY to obtain all required land use approvals, and governmental approvals, for the development of the New Hunter College Science Building at the 73rd Street Property; and be it further

RESOLVED, That the Board authorizes CUNY to expend State appropriated funds for the purpose of developing temporary space for the Brookdale Campus programs and for the purpose of developing the Hunter College Science Building; and be it further

RESOLVED, That the Board certify that a portion of the Brookdale Campus will no longer be used for senior college purposes, allowing it to be transferred to the City of New York ("City"), pursuant to Section 6219 of the New York State Education Law, as CUNY's consideration for its portion of the 73rd Street Property; and be it further

RESOLVED, That the Board authorizes the General Counsel to execute all agreements in connection with the Project, including a Contract of Sale and any related documents with NYCEDC for the acquisition of the 73rd Street Property and a Memorandum of Understanding, a development agreement and any related documents with MSKCC, or another affiliate of MSKCC, for the joint development of the 73rd Street Property, subject to their approval by the University Office of the General Counsel; and be it further

RESOLVED, That the Board requests the City University Construction Fund to authorize and execute any documents related to the Project, if necessary or desired by CUNY.

EXPLANATION: CUNY is entering into a public-private partnership with MSKCC to acquire and jointly develop the 73rd Street Property. A New York City Department of Sanitation garage formerly occupied the 73rd Street Property. The joint development at the 73rd Street Property will include (i) the Hunter College Science Building, a new 300,000 square foot science building for Hunter College to serve the Schools of Nursing and Health Professions and science classes and laboratories and (ii) a new 700,000 square foot outpatient cancer center for MSKCC.

Currently, Hunter's health sciences and nursing programs are located on the Hunter Brookdale campus at East 25th Street and First Avenue. CUNY's contribution to the acquisition of the 73rd Street Property will be a portion of the Brookdale campus, which will be transferred to the City. As a result, the programs at Brookdale will need to be temporarily relocated until the Hunter College Science Building is completed.

CUNY has identified space that can be renovated at Fiorello H. LaGuardia Community College's Center 3 Building to house the Brookdale programs temporarily. Approximately 85,000 square feet of space in Center 3 will be renovated. When the Brookdale programs vacate the Center 3 space to move to the Hunter College Science Building, the space will be turned over to LaGuardia Community College for its use. The Center 3 renovation will be developed in accordance with LaGuardia Community College's Master Plan.

Land Use approvals for the 73rd Street Property are expected to be complete by the Fall of 2013. Construction of the temporary space at LaGuardia's Center 3 is anticipated to be complete by the Fall of 2015. Combined, these phases are estimated to cost approximately \$54 million of existing State appropriated funds. The Hunter College Science Building is estimated to cost \$450 million in State appropriated funds and is anticipated to be complete by Fall 2019.

E. HUNTER COLLEGE - WEILL CORNELL MEDICAL COLLEGE AGREEMENTS:

RESOLVED, That the Board of Trustees of the City University of New York (the "Board") authorize the City University of New York ("CUNY") to undertake a public-private project (the "Project") with Weill Cornell Medical College ("Weill Cornell") for the acquisition by CUNY, on behalf of Hunter College, of a full research floor (the "Hunter Research Floor") at the new 18 story medical research facility being constructed by Weill Cornell at 413 East 69th Street, New York, NY (Block 1464, Lot 8) (the "WC Research Building"); and be it further

RESOLVED, That the Board authorizes the General Counsel to execute and/or approve all agreements, and the taking of such actions, in connection with the Project, including approval of condominium documents for the WC Research Building, execution of acquisition documents for CUNY's acquisition of the Hunter Research Floor as a condominium unit, approval of zoning variance documents to allow Hunter College personnel to operate at the WC Research Building, execution of joint-venture documents in connection with the joint application by CUNY and Weill Cornell of grants for WC Research Building programs, and any other documents related thereto, subject to their approval by the University Office of General Counsel; and be it further

RESOLVED, That the Board requests the City University Construction Fund ("CUCF") to authorize and execute any documents related to the Project, if necessary or desired by CUNY; and be it further

RESOLVED, That the Board hereby ratifies, confirms and approves any of the foregoing matters that have been done on or before the date hereof.

EXPLANATION: CUNY intends to purchase, on behalf of Hunter College, the Hunter Research Floor, a condominium unit consisting of the 4th floor of the WC Research Building. As the owner of a floor at the WC Research Building, Hunter College will enjoy joint use of a vivarium, conference rooms, lounges, cafeteria and other common areas. The WC Research Building is scheduled to be completed for Spring 2014 occupancy. It is anticipated the researchers from Hunter College who utilize the facility will generate a substantial amount of federal and other grants in support of the operation.

The above agreements will formalize the respective rolls of Weill Cornell and CUNY with respect to the acquisition and operation of the WC Research Building, which will be managed by an affiliate of Weill Cornell.

The purchase price of \$65.0 million is supported by two appraisals performed at CUNY's request. The Dormitory Authority of The State of New York will finance the purchase cost through a State appropriation and the Project is subject to approval by the NY State Attorney General and NY State Comptroller.

On June 27, 2011, Cal. No. 7.H., the Board authorized CUNY to enter into a Letter of Intent ("LOI") for the Project. The LOI was executed on October 4, 2011.

F. MEDGAR EVERS COLLEGE - AMENDMENT TO POOL RENOVATION - CARROLL STREET BUILDING:

RESOLVED, That the Board of Trustees of The City University of New York amends the Resolution adopted at the regular meeting of the Trustees of The City University of New York held on April 27, 2009, Calendar No B-6., to execute a CM/Build contract on behalf of Medgar Evers College to renovate the Pool Facility located in the Carroll Street building. The contract cost chargeable to the State Capital Construction Fund, Project No. CA200ME03, for an amount not to exceed \$2.2M (Construction and Management Services) has increased to an amount not to exceed \$3.3M; and be it further

RESOLVED, That the Board of Trustees of the City University of New York authorizes the General Counsel to amend the previously approved CM/Build contract in the amount of \$2.2M, for renovations to the existing pool facility, to an amount not to exceed \$3.3M.

EXPLANATION: The Fund on behalf of the City University of New York reconstructed the existing pool in the Carroll Street building. Due to unforeseen conditions, modifications to the mechanical, electrical, and pool gutter systems were required during the construction phase. In addition, the College requested an increase in scope to modify the pool area and women's locker room in order to comply with ADA guidelines. These changes result in an increase of design, construction and management fees.

G. QUEENS COLLEGE - CAMPUS-WIDE FIRE ALARM PROJECT PHASE 1:

RESOLVED, That the Board of Trustees of The City University of New York authorize the Executive Director to execute a Purchase Order for the services to design, purchase and install Fire Alarm Systems in Klapper Hall, Science Building, and Music Building including Central Monitoring Station at Queens College under existing New York State Office of General Services Contract. The total cost of all such purchases shall be chargeable to the State Capital Construction Fund, Project No. 3087209999 for an amount of not to exceed \$6,000,000.

EXPLANATION: The fire alarm systems at Klapper Hall, Science Building, and Music Building are not in compliance with the current New York City Building and Fire Codes and are not functional. In order to use these buildings to have the required fire safety, the fire alarm systems in these buildings must be replaced immediately.

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

A. LAGUARDIA COMMUNITY COLLEGE - STUDENT ACTIVITY FEE INCREASE:

RESOLVED, That the student activity fee paid by full-time students at LaGuardia Community College be increased from \$55.85 to \$67.85 per semester and from \$20.85 to \$26.85 per semester for part-time students, effective Fall 2012, in accordance with the following schedule:

EARMARKING	FULL-TIME CURRENT/PROPOSED	PART-TIME CURRENT/PROPOSED
Student Activities Clubs	\$07.50/\$07.50	\$02.25/\$02.25
Graduation	\$03.75/\$03.75	\$01.12/\$01.12
Student Government	\$03.75/\$03.75	\$01.13/\$01.13
Income Generating	\$07.50/\$07.50	\$02.25/\$02.25
Theater Tickets	\$01.25/\$01.25	\$00.37/\$00.37
Early Childhood Learning Center	\$06.25/\$06.25	\$01.88/\$01.88
Recreation	\$10.00/\$10.00	\$03.00/\$03.00
Communication Media	\$10.00/\$10.00	\$03.00/\$03.00
Health Center	\$05.00/\$05.00	\$05.00/\$05.00
Intercollegiate Athletics	\$00.00/\$12.00	\$00.00/\$06.00
USS	<u>\$00.85/\$00.85</u>	<u>\$00.85/\$00.85</u>
Total Student Activity Fee	\$55.85/\$67.85	\$20.85/\$26.85

The entire student activity fee, with the exception of the University Student Senate Fee, shall be allocated by the College Association.

EXPLANATION: The student activity fee schedule represents a \$12.00 increase in the full-time student activity fee and a \$6.00 increase in the part-time student activity fee schedules. The increase is to be allocated by the College Association and earmarked for the establishment of Intercollegiate Athletics at LaGuardia Community College.

A referendum was held in accordance with University Bylaw Section 16.12(b), in conjunction with student government elections held May 7-10, 2012. The vote was 809 in favor and 390 opposed, with 7.7% of the eligible students voting on the referendum. The college president supports this first fee increase in 13 years because she believes that the introduction of intercollegiate athletics has the potential to positively augment student life at the college. LaGuardia Community College is the only undergraduate CUNY college without an intercollegiate athletic program.

The Income Generating Account portion of the fee is used for fund-raising events to support student activities at the college, and funds allocated thereto are ultimately budgeted by the college association for student fee.

Earmarkings set forth in the Board resolution may only be changed by further Board actions.

B. CITY COLLEGE - STUDENT ACTIVITY FEE INCREASE - UNDERGRADUATE STUDENTS:

RESOLVED, That the student activity fee paid by undergraduate students at City College be increased from \$49.35 to \$64.35 per semester for full-time students and from \$33.35 to \$40.85 per semester for part-time students, effective the Fall 2012 semester, in accordance with the following schedule:

EARMARKED ALLOCATING BODY	CURRENT FEE F.T./P.T.	PROPOSED FEE F.T./P.T.
Student Faculty Committee on Intercollegiate Athletics	\$15.00/\$05.00	\$30.00/\$12.50

Student Government	\$05.00/\$05.00	\$05.00/\$05.00
Media Board	\$02.50/\$02.50	\$02.50/\$02.50
College Association	\$16.00/\$10.00	\$16.00/\$10.00
Committee on Student Health Services	\$06.00/\$06.00	\$06.00/\$06.00
NYPIRG	\$04.00/\$04.00	\$04.00/\$04.00
USS	<u>\$00.85/\$00.85</u>	<u>\$00.85/\$00.85</u>
Total Student Activity Fee	\$49.35/\$33.35	\$64.35/\$40.85

And be it further

RESOLVED, That the summer session student activity fee for undergraduate students at City College increase from \$8.85 to \$12.85 effective Summer 2013, in accordance with the following schedule:

EARMARKED ALLOCATING BODY	CURRENT FEE	PROPOSED FEE
College Association	\$04.00	\$04.00
NYPIRG	\$04.00	\$04.00
Student Faculty Committee on Intercollegiate Athletics	<u>\$00.00</u>	<u>\$04.00</u>
Total Student Activity Fee	\$08.00	\$12.00

EXPLANATION: The student activity fee schedule represents an increase of \$15.00 for full-time undergraduate students, \$7.50 for part-time undergraduate students, and a \$4.00 increase in the undergraduate summer session student activity fee. A referendum was held in accordance with University Bylaw section 16.12, in conjunction with student government elections held April 24-26, 2012.

This increase will be earmarked for athletics, recreation and intramurals and will be allocated by the Student Faculty Committee on Intercollegiate Athletics. The new earmarkings will now total \$30.00 for full-time students, \$12.50 for part-time students and a new \$4.00 earmarking will be established for summer session. The vote on the referendum was 1632 in favor and 1003 opposed, with 20% of the eligible student body voting. The College President supports the fee increase because the earmarking to athletics has not changed since 1985.

Within the Student Government fee, \$1.00 is locally earmarked for concerts and \$4.00 is locally earmarked to Student Government for student government, clubs and other student activities. The College Association fee is used to support the Student Center, Child Care, the Safety Services, and other student activities, with \$2.00 locally earmarked to support a Child Care Center and \$1.00 for the City College Safety Service. Local earmarkings at the College have been established and are subject to change at the College in accordance with the referendum process set forth in University Bylaw section 16.12, provided there is no change in the total fee. The earmarkings set forth in the resolution may only be changed by further Board action.

The voting composition of the Committee on Student Health Services consists for five students, three administrators and one faculty member. The voting composition of the Student Faculty Committee on Intercollegiate Athletics consists of three faculty members and three students; and the Media Board consists of three faculty members, five students, and the Chairperson on the College Association.

The student activity fee allocated by NYPIRG is refundable, in accordance with procedures subject to the approval of the College President.

On June 28, 1999, the CUNY Board of Trustees approved amendments to the City College Governance Plan which merged the Day and Evening Student Governments into one undergraduate student government. Accordingly, the student activity fee schedule for Day Session Undergraduate students at City College, as approved by the Board of

Trustees on June 24, 1996, of \$49.35 for full-time students and \$33.35 for part-time students was established as the consolidated Undergraduate Student Activity Fee.

C. (ADDED ITEM) THE CITY UNIVERSITY OF NEW YORK - AMENDMENTS TO THE POLICY ON PAYMENT OF STIPENDS TO STUDENT LEADERS:

RESOLVED, That the Board of Trustees of The City University of New York adopt the following amended policy on the payment of stipends to student leaders. The Board believes and intends that service as a student leader should be an educational experience. Recognizing the educational role of student leadership positions, the Board, while not encouraging the payment of stipends, believes some stipend payments to student leaders should be allowed within the parameters outlined below:

1. Stipend payments to student leaders shall be limited to two (2) years in the University, except:
 - a. A student leader elected to an office of the University Student Senate shall be allowed three (3) years of stipend payments, with no more than two (2) years of the payments as an officer of the University Student Senate.
 - b. A student who receives two (2) years of stipend payments as an undergraduate student leader, shall be permitted a third (3rd) year of stipend payments as a graduate student leader.
 - c. Co-chairs of the Doctoral Students' Council at The Graduate School and University Center shall be permitted a third (3rd) year of stipend payments as a graduate student leader.
2. The amount of stipend payments to student leaders shall be limited as follows:
 - a. College student leaders shall be limited to a maximum of [~~\$4,028~~] \$4,490 per year effective July 1, 2012 and \$4,950 per year effective July 1, 2013 [and] or no more than [~~\$2,014~~] \$2,245 per semester effective July 1, 2012 and \$2,475 per semester effective July 1, 2013.
 - b. The Chairperson of the University Student Senate shall be limited to a maximum of [~~\$8,750~~] \$9,752 per year effective July 1, 2012 and \$10,754 per year effective July 1, 2013 [and] or no more than [~~\$4,375~~] \$4,876 per semester effective July 1, 2012 and \$5,377 per semester effective July 1, 2013.
 - c. Vice-chairpersons of the University Student Senate shall be limited to a maximum of [~~\$5,102~~] \$5,686 per year effective July 1, 2012 and \$6,270 per year effective July 1, 2013 [and] or no more than [~~\$2,551~~] \$2,843 per semester effective July 1, 2012 and \$3,135 per semester effective July 1, 2013.
 - d. Co-chairs of the Doctoral Students' Council at The Graduate School and University Center shall be limited to a maximum equal to the minimum salary for the title of Graduate Assistant B.
3. No student leader shall for the same period receive more than one stipend, or be an employee of or receive any other compensation from a student activity fee allocating body.
4. The Chancellor or his or her designee shall, every two years, review the schedule of stipend payments, and report to the Board on any adjustments he or she recommends as being appropriate, in relationship to any changes in the Consumer Price Index (CPI).

NOTE: Matter underlined is new; matter in brackets is deleted.

EXPLANATION: This revised stipend policy is adopted pursuant to Board Bylaw Section 16.14 to authorize the payment of stipends to student leaders within the time limits and amounts set forth above, and amends the Board Policy on Payment of Stipends to Student Leaders adopted by the Board on April 25, 1983, Cal. No. 7.B., and amended on November 27, 1989, Cal. No. 6.A., February 22, 1994, Cal No. 7.A., June 27, 1994, Cal. No. 7.A., May 28, 1996, Cal. No. 8.A., April 26, 1999, Cal. No. 8.A., February 25, 2002, Cal. No. 8.A and March 29, 2004, Cal. No. 6.A.

In accordance with the Board policy, the Chancellor has reviewed the schedule of stipend payments since stipends were last increased in July 2004. The proposed revisions increase the maximum allowable stipends by 11.45% on July 1, 2012 and by 11.45% on July 1, 2013, in accordance with the 22.9% increase in the Consumer Price Index (CPI), for all urban consumers in New York City and [Northeastern] Northern New Jersey, from July 2004 through May 2012. By increasing the maximum stipend amounts over a two year period, the USS and College Associations will have a better opportunity to budget for any approved stipend increases up to the revised maximum limits. The implementation of the increase and the amounts to be paid to student leaders shall be determined by the Chancellor.

NO. 8. EXECUTIVE COMMITTEE: Notice of Action Taken (May 21, 2012), for informational purposes:

A. COLLEGE OF STATEN ISLAND - APPOINTMENT OF INTERIM PRESIDENT:

RESOLVED, That the Board of Trustees approve the appointment of William J. Fritz to be interim president of the College of Staten Island, effective August 15, 2012, for a period of up to two years, at a compensation to be recommended by the Chancellor to the Board, subject to financial ability.

EXPLANATION: College of Staten Island President Tomás D. Morales is resigning effective August 14, 2012 to become President of California State University at San Bernardino. Dr. William J. Fritz currently serves as provost and senior vice president for academic affairs at the College of Staten Island. Dr. Fritz received his B.S. and M.S. degrees in Biology from Walla Walla College and his Ph.D. degree in Geology from the University of Montana. He is an internationally known field geologist. After a distinguished career as a research faculty member, Dr. Fritz turned his talents to administration and has served in positions of increasing responsibility since 1998. His appointment will be for up to two years because of the need for stability and continuity as the College of Staten Island moves to complete the important academic and administrative initiatives that have been commenced under the leadership of President Morales and Provost Fritz.