

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

**REVISED
CALENDAR**

SEPTEMBER 24, 2012

NO. 1. CHANCELLOR'S UNIVERSITY REPORT: RESOLVED, That the Chancellor's University Report for September 24, 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 June 25, 2012 be approved.

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

A. GRADUATE SCHOOL AND UNIVERSITY CENTER - BUILDING OPERATING AND MAINTENANCE SERVICES:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a contract on behalf of the Graduate School and University Center to purchase building operating and maintenance services. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. Such purchase shall not exceed a total estimated annual cost of \$5,250,000 chargeable to FAS code 217703404, during the fiscal year ending June 30, 2013. Annual escalations in the cost shall be based on the New York State Prevailing Wage Rate and Benefit Schedule. The contract shall have a term of five (5) years with the college having the right to terminate on each anniversary date of the contract and shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The Graduate School and University Center will use the contractor's services to provide building operating, engineering and maintenance services for the campus.

B. (ADDED ITEM) THE CITY UNIVERSITY OF NEW YORK - COMMUNITY COLLEGE CHARGEBACK REPORT:

RESOLVED, That the Board of Trustees of The City University of New York approve a draft CUNY/SUNY report related to community college operating chargebacks, authorize the Chancellor or designee to make such changes to the draft report deemed necessary or appropriate, authorize submission of the final report to the Legislature, and authorize efforts to develop a uniform operating chargeback rate methodology.

EXPLANATION: As required by New York State Article VII Legislation Ch. 57, Part Q, L. 2012, The City University of New York, in conjunction with the State University of New York has reviewed present requirements relating to community college operating chargebacks, and has produced a draft report which sets forth recommendations for improvements. The resolution calls for the Board of Trustees to approve the draft report, authorize the Chancellor, or designees, to make such changes to the draft report deemed necessary or appropriate, authorize submission of the report to the Legislature and authorize continued efforts with SUNY to develop a uniform methodology for calculating operating chargebacks. Ordinarily the Board would adopt a final report rather than a draft. However, this approach is being utilized to allow for additional input from constituent groups and to allow for the submission of the report to the Legislature prior to the next scheduled board meeting.

The report has been presented to the SUNY Board of Trustees for their approval as well.

NO. 4. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved:

A. BROOKLYN COLLEGE - AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the proposed amendments to the Governance Plan of Brooklyn College be adopted, effective October 1, 2012.

EXPLANATION: The proposed amendments to the Governance Plan of Brooklyn College mainly revise Article IV, which pertains to the College's Council on Administrative Policy ("CAP"). The amendments were approved by the Brooklyn College Policy Council on April 18, 2012 and are recommended by the College President.

The amendments involve changes in the composition and function of CAP. Specifically, the CAP is comprised of administrators and department chairpersons, and the revisions clarify that the number of voting administrators may not exceed the number of department chairpersons. The amendments also provide for an elected secretary of CAP, who must be a department chairperson, and for a chairperson of CAP's Liaison Committee (the advisory group to the President). The amendments state that the regular meetings of the Liaison Committee may be attended by either the President or the Provost; the current version requires meetings with the President.

Finally, the proposed amendments make more explicit the composition and function of the Committee on Personnel and Budget and list the responsibilities of that Committee in a separate Article of the Governance Plan.

Brooklyn College Governance Plan
(Amended and approved by the CUNY Board of Trustees on June 27, 2011)

With proposed changes approved by the Brooklyn College Policy Council on April 18, 2012

Article I. The Policy Council

A. The membership of the Policy Council shall consist of an equal number of administrators, faculty and students:

1. Members of the Administration to be designated as follows:
 - a. the President of Brooklyn College who shall chair the Policy Council;
 - b. Additional members of the administration selected by the President from among the following: vice presidents, assistant vice presidents, deans.
 - c. Any additional members needed to bring the total members of the Administration to 10, which shall be the minimum. These members are to be selected in a manner determined by the members of the administration designated in 1(b) above with the approval of Policy Council.
2. Members of the faculty are to be chosen as follows:
 - a. one representative of the Steering Committee of Faculty Council;
 - b. one representative of the Liaison Committee of the Council on Administrative Policy;
 - c. Faculty members at large (except administrators with a title of assistant dean or above) to bring the total number of faculty representatives to the same number as members of the Administration, to be elected biennially in May, to serve in the following two academic years, in a manner to be determined by Faculty Council with the approval of Policy Council.

Faculty members at large may be reelected.

3. Students are to be chosen as follows:
 - a. the three presidents of the three student government bodies;
 - b. Additional students to bring the total number of student representatives to the same number as administrators, to be selected annually in a manner determined by the Student Governments with the approval of Policy Council.
4. Should the number of members of the Administration, as determined in section 1, change during the biennial period commencing with the faculty election, the following procedures shall be followed:
 - a. If the number increases, an equal increase in the membership of faculty and students shall be effected, by the selection process indicated in 2.c. and 3.b.;
 - b. If the number decreases, the additional members to bring the Administration membership to the same level as that of the faculty and students shall be selected in a manner determined by the Administrators designated in 1(a)-(b) above with the approval of Policy Council.
5.
 - a. If one of the members designated in paragraph 1. a or b above shall be unable to serve for an entire semester or for the balance of a semester, a replacement shall be selected in the manner used in paragraph 4.b.
 - b. If one of the student government presidents shall be unable to serve for an entire semester or for the balance of a semester, a replacement shall be selected by the student government presidents.

6. Each constituency (administrators, faculty, and students) shall choose three alternates to serve with voice and vote at any meeting in the absence of their respective members.
- B. The Policy Council shall meet at least three times a semester, and more frequently if necessary. Special meetings may be called by the President or by the Executive Committee and shall be called at the request of any eight members of the Policy Council.
- C. The functions of Policy Council shall be as follows:
1. Recognizing the legislative authority of Faculty Council in matters of curriculum and degree requirements, of the Student Governments in matters of student affairs, of the Council on Administrative Policy and the Promotions and Tenure Committee on matters of personnel, the Policy Council may make recommendations in all areas of the operation of the college to the President.
 2. The Policy Council shall serve as a forum for discussing issues and problems of general college concern; shall advise the President both in response to his/her requests for counsel and upon its own initiative; shall provide through its existence a formal body for each constituent group to express its viewpoint and to communicate with other elements of the college community; and shall submit recommendations for action as appropriate to the Faculty Council, to the Council on Administrative Policy, and to the student governments.
 3. The Policy Council shall be responsible for approving any and all new governance proposals and assuring that they meet standards of the Trustees of The City University of New York and standards of Brooklyn College. The Policy Council shall determine that the proposals provide a role for students, faculty, and administrators. The Policy Council shall also monitor the functions of individual legislative and administrative bodies to assure that no constituent body exceeds its jurisdiction.
 4. a. The Policy Council shall establish standing committees which shall be responsible for continuing study of and reporting on college policy. These shall include, but not be limited to:
 1. An Executive Committee
 2. A Nominating Committee
 3. A Budget Committee
 4. A College and Community Committee
 5. A Campus Facilities Committee
 6. A Long Range Planning Committee
 7. A Committee on College Governance
 - b. The Policy Council shall also have the authority to appoint and charge ad hoc committees as it sees fit.
 - c. In the case of both standing committees and ad hoc committees, the Policy Council may draw students, faculty, or administrators including members of the support staff from the college community at large. In addition to the college's constituencies represented on the Policy Council, there are other groups which should be consulted, such as community people and alumni.
 - d. With regard to goals, priorities, policy guidelines, budget and the overall direction of the college, the President shall work closely with the appropriate Policy Council committees.
 - e. The Policy Council shall prepare its own bylaws consistent with this governance plan and the Bylaws of the Board of Trustees of The City University of New York.

Article II. The Faculty

- A. The faculty shall consist of all persons having faculty rank or status. It shall conduct the educational affairs customarily cared for by a college faculty. It shall make its own bylaws consistent with this governance plan and Bylaws of the Board of Trustees of The City University of New York. It shall meet at least once each semester, or more often, at the call of the President or by petition of ten percent of its members, and shall be responsible for the formulation of policy relating to the admission and retention of students, including health and scholarship standards; student attendance, including leaves of absence; curriculum; awarding of college credit; granting of degrees. Meetings of the Faculty shall be chaired by the President.
- B. The Faculty Council shall be the legislative body of the Faculty and shall have all the responsibilities of a faculty, as exercised heretofore under the Bylaws and Policy Statements of the Board of Trustees of The City University of New York subject only to the review of the Faculty.
- C. 1. The Faculty Council shall consist of all of the following, a) through d):
- a. all department chairpersons.
 - b. an additional delegate of faculty rank or faculty status from each department elected, or reelected, for a term of three years by department members of faculty rank or faculty status. Departments shall elect an alternate delegate to serve with voice and vote at any meeting in the absence of the department delegate.
 - c. delegates-at-large of faculty rank or faculty status, equal to the number of instructional departments, elected in a manner determined by Faculty Council. Delegates at-large shall be elected for a term of three years and may be reelected.
 - d. a maximum of five directors of programs in academic areas which meet criteria established by Faculty Council for this purpose and/or are individually designated by Faculty Council.

2. The President, the vice presidents, the assistant vice president(s), full deans, director of student records and business manager may attend Faculty Council meetings with voice, but without vote. At each meeting, the President may present a report to Faculty Council.
 3. Fifty percent of the voting members of Faculty Council shall constitute a quorum unless the faculty shall adopt a bylaw requiring a larger number.
- D. The Faculty Council shall function through a system of standing and ad hoc committees consisting of faculty and student members as designated in each committee charge. There shall be a Steering Committee whose composition and charge are determined by the Faculty Council Bylaws. The Steering Committee shall meet regularly with the President to apprise him/her of the agenda of each Faculty Council meeting and to discuss any matters of interest to the Faculty. With regard to goals, priorities, policy guidelines, budget, and the overall direction of the college, the President shall work closely with the appropriate Faculty Council committees.
 - E. The Faculty Council shall prepare its own bylaws consistent with this governance plan and the Bylaws of the Board of Trustees of The City University of New York.

Article III. Departments

- A. The chairperson of each department shall be elected in accordance with the Bylaws of the Board of Trustees of The City University of New York, Section 9.1(b), from among professors, associate professors, and assistant professors by all members of the department with faculty rank or faculty status for a term of three years. He/she shall be the executive officer of the department, shall carry out the department's policies, and shall perform the duties of the chairperson in accordance with Bylaw Section 9.3. Each department, subject to the approval of Faculty Council, shall have control of the educational policies of the department through the vote of all members of faculty rank or faculty status.

In all departmental elections an affirmative vote shall be determined by satisfaction of the following:

1. There must be an affirmative vote of a majority of those present and eligible to vote at a duly constituted election meeting of the Department, a quorum being present;
 2. a quorum shall be defined as a majority of the adjusted membership of the Department;
 3. the adjusted membership of the Department shall be defined as the whole membership of the Department eligible to vote, less those on leaves of absence, those in full-time administrative positions outside the Department, and those without assignment within the Department for a continuous period of two years prior to the election.
 4. Members of any Brooklyn College Personnel Committee shall not be eligible to vote on their own candidacies, and for purposes of such a candidacy the whole number of voting members of the committee shall exclude the candidate.
- B. The department appointments committee in accordance with Bylaw Sec. 9.1(e) shall consist of the chairperson and four members of faculty rank elected by the department members of faculty rank or faculty status for a term of three years. The chairperson of the department shall be the chairperson of the committee. The committee shall be responsible for all recommendations of appointments, reappointments, leaves and tenure. It shall take into consideration student evaluations of professional performance in all matters of reappointment and tenure.
 - C. The curriculum committee shall consist of faculty members and of students who are majors in the department. It shall consider and make recommendations concerning curricular proposals for department action; department action will be transmitted to the appropriate graduate or undergraduate Committee on Curriculum and Degree Requirements of Faculty Council.
 - D. Promotion recommendations shall be made in accordance with Section 9.8 of the Bylaws of the Board of Trustees of The City University of New York. Student evaluations of professional performance shall be taken into consideration.
 - E. Such other committees (standing and ad hoc) shall be created as the department shall decide. All committees shall keep minutes of their proceedings in conformity with Robert's Rules of Order, latest revised edition.

Article IV. The Council on Administrative Policy

- A. The Council on Administrative Policy (CAP) shall consist of the vice presidents, the assistant vice presidents, the deans, the chairpersons of departments, and such non-voting [members] quests as the President may designate. The number of administrators eligible to vote shall not exceed the number of chairpersons of departments. The Council on Administrative Policy shall be chaired by the President and shall meet at least once a month or more often, at the call of the President or an individual member.

It shall discuss issues of importance to the college and its educational mission and make recommendations to the President. The President shall present to CAP, in timely fashion, any significant plans of the administration in the areas of general Educational Policy, Planning, Priorities, Personnel and Budget for discussion and advice. It shall establish, in conformity with the Bylaws of the Board of Trustees and the Governance Plan of Brooklyn College, standards and policies concerning Personnel. It furthermore shall serve as a principal means of communication between the President and the operating departments of the college.

- B. There shall be a Liaison Committee of CAP consisting of five chairpersons, one from each of the five schools (i.e. Business, Education; Humanities and Social Sciences; Natural and Behavioral Sciences; Visual, Media and Performing Arts), to be elected annually. The Liaison Committee of CAP shall have a chairperson. Only department chairpersons shall vote in this election. The Liaison Committee shall serve as the chairpersons' advisory group to the President. Acting as a conduit of information between the President and the chairpersons, it shall meet regularly with the President and/or the Provost to discuss and consult on issues of importance to the college including but not limited to Policy, Planning, Priorities and Budget, as these issues are being formulated and developed by the Administration. It shall help develop, with the President and/or the Provost, the agenda for the CAP meeting.
- C. ~~[Department appointments committees will present their recommendations for appointment and reappointment without tenure to the Council on Administrative Policy. The President will preside. Only department chairpersons will be eligible to vote on appointments and reappointments. The full academic deans, who will participate in the discussions of the Council on Administrative Policy in matters of appointments and reappointments without tenure, will also be advisory to the President in such matters. The President will make his/her final recommendation to the Board of Trustees.]~~
- C. There shall be a secretary of CAP to be elected by the body as a whole from among the chairpersons.
- D. ~~[Members of any Brooklyn College Personnel Committee shall not be eligible to vote on their own candidacies, and for purposes of such a candidacy the whole number of voting members of the committee shall exclude the candidate.]~~

Article V. College-wide Committee on Personnel and Budget

- A. The College-wide Committee on Personnel and Budget shall consist of all chairpersons of the departments who shall be voting members as well as the President, the Provost, the Associate Provosts, Assistant Provost and Academic Deans, who shall be non-voting members. The College-wide Committee on Personnel and Budget shall be chaired by the President or his or her designee and shall meet each month, or as necessary, at the call of the President.
- B. All appointments and reappointments without tenure shall be recommended to the College-wide Committee on Personnel and Budget by the chairperson of the department in accordance with the vote of a majority of the Department appointments committee. The Provost, Associate Provosts, Assistant Provost and the full Academic Deans shall participate in discussion of the candidates. The President will make his/her final recommendation to the Board of Trustees following consultation with the Provost and the appropriate Academic Deans.
- C. Members of any Brooklyn College Personnel committee shall not be eligible to vote on their own candidacies and for purposes of such a candidacy the whole number of voting members of the committee shall exclude the candidate.

Article VI. Committee on Promotion and Tenure

- A. A College-wide Promotion and Tenure Committee will be composed of all department chairpersons. The chairperson of the Liaison Committee of the Council on Administrative Policy will serve as chairperson of the College Promotion and Tenure Committee.
- B. Subsidiary School Promotion and Tenure Review Committees will be established as described below. The promotion and tenure decisions will take place on four levels:
1. *Level One: Departmental Review.* The appointments committee votes on tenure, including CLTs in academic departments. The appointments committee votes on reappointment of lecturers with the certificate of continuous employment (CCE). Full professors, associates, and the chair vote on promotion to associate. Full professors and the chair vote on promotion to full. Tenured faculty will vote on promotion of CLTs to the ranks of Senior College Laboratory Technician and Chief College Laboratory Technician. Where there are fewer than five eligible voters in a department, additional committee members (bringing the total to five) are to be drawn from the appointments committee in order of rank, then seniority in rank, then time at college. As a supplement to the standard curriculum vitae, a candidate is to provide a personal statement that encompasses her or his major accomplishments and contributions in research, teaching, and service. Department recommendations on promotion and tenure shall be submitted to the appropriate School Promotion and Tenure Review Committee at level two.
 2. *Level Two: School Review.* There will be five School Promotion and Tenure Review Committees: Humanities and Social Sciences; Natural and Behavioral Sciences; Visual, Media and Performing Arts; Education; and Business. Each School Promotion and Tenure Review Committee will consist of one tenured associate or full professor (not chair) per department in that School. Where there are fewer than five departments in the school additional committee members will be elected to bring the committee total to five. These additional members will be nominated and elected from the faculty of the school. No more than two members of the same department may serve. Each School Promotion and Tenure Review Committee will consider all promotion and tenure/CCE candidates within its school. The Dean will convene each school review committee but not have a vote. Selection of committee members to three-year terms to be voted on (one person one vote) in each department in conjunction with triennial elections. Interviews of candidates and chairs will take place at level two. Content of interview to be limited to clarification and explanation of written record. A member of each school review committee (not the Dean) will report that committee's recommendations to the third level.
 3. *Level three: College-wide Promotion and Tenure Committee.* The College-wide Promotion and Tenure committee, described above, reviews the recommendations of the School Promotion and Tenure Review Committees. Then the recommendations

of the College Promotion and Tenure Committee, together with the recommendations of the School Promotion and Tenure Review Committees, will be forwarded to the President.

4. *Level Four:* The President considers the recommendations of all committees and renders her or his decision on whether or not a candidate will be recommended positively to the University's Board of Trustees.
 5. Subcommittees of the full College Promotion and Tenure Committee will be appointed when there are candidates in the following categories:
 - a. A subcommittee on tenure for College Laboratory Technicians in non-academic Departments which shall consist of three tenured faculty members elected by, but not from, the College Promotion and Tenure Committee, and two administrators appointed by the President.
 - b. A subcommittee on promotion for College Laboratory Technicians in nonacademic Departments which shall consist of three tenured faculty members elected by, but not from, the College Promotion and Tenure Committee, and two administrators appointed by the President. This subcommittee will consider promotions to the ranks of Senior College Laboratory Technician and Chief College Laboratory Technician in nonacademic departments.
 - c. A subcommittee on tenure for persons in the Registrar series which shall consist of three chairpersons elected by the College Promotion and Tenure Committee and two administrators appointed by the President.
 6. The subcommittees named in paragraph 5 will report their recommendations to the College Promotion and Tenure Committee, after which the recommendations of the College Promotion and Tenure Committee, together with the recommendations of the subcommittees, will be forwarded to the President.
 7. Members of any Brooklyn College Personnel Committee shall not be eligible to vote on their own candidacies, and for purposes of such a candidacy the whole number of voting members of the committee shall exclude the candidate.
- C. The President will meet with the appropriate college personnel committee or committees to discuss any case for which he/she requires additional information before making his/her final recommendation to the Board of Trustees.

Article VII. Student Government

- A. There shall be three student government associations at the college: the CLAS student government organization representing students in the day session; the SGS student government organization representing undergraduate students in the evening session, and the graduate student organization representing graduate students. Each body shall be governed by its own constitution, subject to the provisions of this Governance Plan and the Bylaws and policies of the Board of Trustees.
- B. These organizations shall have authority in areas relevant to student extra-curricular activities at the college. Their powers shall include:
 1. 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.
 2. The power to delegate responsibility for the effective implementation of its regulatory functions 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 or 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.
- C. The Student Governments shall, in a manner that they determine, appoint all student members to Faculty Council committees.
- D. The Student Governments shall have the power to allocate the Student Government fee in accordance with the Board Bylaws. Each student and government organization shall be responsible for the full disclosure to its constituents of all financial information with respect to student government fees.
- E. Each of the Student Governments shall have the right and power to make recommendations to the President, Faculty Council, Policy Council, and to any other agent, department, committee, or organization of the college and/or City University of New York.
- F.
 1. There shall be a Council of Student Governments.
 2. The Council shall consist of the Presidents of the Student Governments.
 3. They shall meet on a monthly basis to discuss and formulate policy on student matters, set goals and priorities.
 4. They shall meet with the college President to discuss college-wide matters affecting the college community.
 5. The Chairpersonship of the Council shall rotate on a monthly basis.
 6. The Council may appoint resource members as it sees fit.

Article VIII. Amendment

Amendments to this Governance Plan may be initiated (a) by any constituent body or (b) by the Policy Council itself, provided such amendment does not alter the powers held by another constituent body without the consent of that body. All amendments must be approved by the Policy Council and by the President for submission to the Board of Trustees.

B. GRADUATE SCHOOL AND UNIVERSITY CENTER - AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the proposed amendments to the Governance Plan of the Graduate School and University Center be adopted, effective October 1, 2012.

EXPLANATION: The amendments to the Governance Plan of the Graduate School of the Graduate School and University Center ("Graduate School") Governance Plan are designed to update the Plan and to codify current practices at the Graduate School. The amendments were approved by the Graduate Council on May 10, 2012 and are recommended by the President.

Specifically, the proposed amendments clarify the functions of the Graduate Council, most notably stating that its role is to formulate educational policy for graduate work in doctoral programs at the Graduate School only, and not at the other CUNY colleges that have graduate programs. They further codify a number of current practices, including (i) specifying that the Chair of the Executive Committee of the Graduate Council serves for a two-year term; (ii) updating the names of certain committees; and (iii) allowing voting by email or other electronic means. Finally, they state that the membership of the Graduate Council will be specified in the Graduate Council Bylaws, rather than in the Governance Plan.

Governance with Structure changes of December 6, 2011 and February 1, 2012;
February 14, 2012; February 28, 2012, April 3, 2012
 Approved by Graduate Council – May 10, 2012

NOTE: Additions are underlined and deletions are bracketed

GOVERNANCE OF THE GRADUATE SCHOOL OF THE GRADUATE SCHOOL AND UNIVERSITY CENTER THE CITY UNIVERSITY OF NEW YORK

Sec. 1 ADMINISTRATIVE OFFICERS

1.1 President

The President of The Graduate School and University Center, hereafter referred to as The Graduate School, is the chief academic and administrative officer.

The President has general responsibility to develop, implement, and administer the doctoral programs of the University, other graduate programs, and centers and institutes of The Graduate School in accordance with the decisions of the Board of Trustees of The City University of New York.

The President has responsibility and authority for The Graduate School comparable to those set forth for Presidents in Article 11.4 of the Bylaws of the CUNY Board of Trustees.

1.2 Provost

The Provost of The Graduate School is appointed by and responsible to the President and is the principal academic officer of The Graduate School, with responsibilities as the President may assign.

1.3 Vice Presidents

Vice Presidents of The Graduate School are appointed by the President of The Graduate School in accordance with the established policies of the CUNY Board of Trustees for such appointments.

Vice Presidents have such duties and responsibilities as may be assigned to them by the President or referred to them by appropriate faculty bodies.

1.4 Deans

Deans of The Graduate School are appointed by the President of The Graduate School in accordance with the established policies of the CUNY Board of Trustees for such appointments.

Deans have such duties and responsibilities as may be assigned to them by the President or referred to them by appropriate faculty bodies.

Sec. 2 ADMINISTRATIVE BODIES

2.1 Graduate Council

The governing body of The Graduate School is the Graduate Council, which operates in accordance with its Bylaws. **The membership of the Graduate Council shall be specified in the Graduate Council Bylaws.** A majority of the voting members of the Graduate Council shall constitute a quorum.

[2.1A Membership

1. The faculty and students in each doctoral program shall elect one faculty and one student representative to Graduate Council for each 100 or fewer matriculated students (e.g., 301 students equates to 4 faculty and 4 students).

2. Each graduate degree program of The Graduate School in a discipline in which no doctoral work is offered shall elect representatives to Graduate Council, using the same formula for doctoral programs, except that the number of representatives from all such programs shall not exceed 10 percent of the total membership of the Council.

3. Members Ex Officio and Appointed Members of Graduate Council

a. Graduate School Voting Members

Executive Officers
 Coordinators of the Certificate Programs
 Three Co-Chairs of the Doctoral Students' Council
 Secretary of Graduate Council
 Chair of the Doctoral Faculty Policy Committee

b. Graduate School Nonvoting Members

President
 Provost
 Vice Presidents
 Associate Provosts
 Chief Librarian
 Deans
 USS GC Delegate
 Directors of formally established research centers and institutes of The Graduate School
 President of the Ph.D. Alumni Association

c. Other CUNY Nonvoting Members

One academic officer with major responsibility for graduate work, except in education, from each senior college of The City University of New York designated by the respective presidents .]

2.1[B]A Functions

The functions of Graduate Council shall be:

1. To formulate educational policy for all graduate work in doctoral programs at the Graduate School and in other graduate programs of The Graduate School, to set standards of admission and academic performance, and curriculum and degree requirements.
2. To approve programs and curricula leading to the doctoral degree and to approve other graduate programs of The Graduate School and the curricula of these programs.
3. To recommend to the CUNY Board of Trustees the granting of honorary and graduate degrees to qualified candidates. This function shall be exercised exclusively by the faculty members of the Council.
4. To consider any other academic matters of The Graduate School and to make recommendations to the CUNY Board of Trustees.
5. To receive, consider, approve, and forward, as appropriate, reports and recommendations of the Council's standing committees.
6. To review, and act on revisions to the Governance document of The Graduate School of the Graduate School and University Center, and to the Bylaws of Graduate Council of the Graduate School of the Graduate School and University Center.

[1. To formulate educational policy for all graduate work in doctoral programs and in other graduate programs of The Graduate School; to set standards of admission and academic performance, and curriculum and degree requirements.

2. To approve programs and curricula leading to the doctoral degree and to approve other graduate programs of The Graduate School and the curricula of these programs.

3. To recommend to the CUNY Board of Trustees the granting of honorary and graduate degrees to qualified candidates. This function shall be exercised exclusively by the faculty members of the Council.

4. To consider any other academic matters of The Graduate School and make recommendations to the CUNY Board of Trustees.

5. To receive, consider, forward, approve or reject, as appropriate, reports and recommendations of the Graduate Council's Standing Committees.

6. To review and recommend revisions to the Governance document of The Graduate School and to the Bylaws of Graduate Council.]

2.1[C]B Chair

1. The President of The Graduate Center shall be Chair of Graduate Council and shall preside over its meetings. In the absence of the President, the Chair of the Executive Committee of the Council shall preside.

[1. The President of The Graduate School shall be Chair of Graduate Council and shall preside over its meetings. In the absence of the President, the Chair of the Executive Committee of the Council shall preside.]

2. The Chair of the Executive Committee of Graduate Council shall preside over the meetings of the Executive Committee. The Chair shall serve for a two-year term and shall be elected by preferential voting by the voting members of the Council from among the faculty representatives of the Council at its final spring meeting during years when elections are scheduled.

[2. The Chair of the Executive Committee of Graduate Council shall preside over the meetings of the Executive Committee. The Chair shall be elected by the voting members of the Council from among the faculty representatives of the Council.]

2.1[D]C Committees

The Graduate Council shall establish Standing Committees as enumerated and such other committees as it deems necessary to the discharge of its responsibilities. Each committee shall consist of faculty members and student members as specified in the Graduate Council Bylaws.

1. Executive Committee
2. Committee on Structure
3. Committee on Curriculum and Degree Requirements
4. Committee on Research
5. Committee on Committees
6. Committee on Student Services
7. [Student Academic Appeals Committee] **Committee on Student Academic Appeals**
8. Library Committee
9. [Information Technology Committee] **Committee on Information Technology**

2.2 Committees of The Graduate School

2.2A Academic Review Committee

This committee shall consist of the Provost as Chair (nonvoting) and six members elected by the Executive Officers from among their ranks. Each elected member shall serve for two years. The terms shall be staggered so that half of the total members are elected each year. The committee shall review all proposals for appointments to The Graduate School faculty, as well as reappointments, nonreappointments, promotions, tenure, and fellowship leaves of absence, and shall make its recommendations to the President.

2.2[B] C [Student Advisory Committee] **Executive Committee of the Doctoral Students' Council**

The [Steering Committee] **Executive Committee** of the Doctoral Students' Council shall be the President's Student Advisory Committee. It shall advise the President in the discharge of such responsibilities as setting educational policy, making major administrative appointments, and other matters as the President may request.

2.2[C] D Doctoral Faculty Policy Committee

The Doctoral Faculty Policy Committee shall be directly elected by the faculty **of the Graduate School and** [It] functions as the voice of the doctoral faculty of **The Graduate School.** [The City University of New York.] It may bring items for action to Graduate Council on its own initiative.

2.2[D] B Doctoral **and Graduate** Students' Council

The Doctoral **and Graduate** Students' Council **here and after known as the Doctoral Students' Council** is the official representative body of the [doctoral] students **of the Graduate Center.**

2.2E Ad Hoc Committees

Ad hoc committees may be created as needed, either by appointment by the President or by Graduate Council election.

Sec. 3 DEGREE PROGRAMS

3.1 New Degree Programs

- 3.1A The development of new degree programs or the revision of existing programs is the prerogative of the faculty. The development of new degree programs shall follow the City University's Office of Academic Affairs specific guidelines for Letters of Intent and Proposals for new degree programs.

3.1B The following procedures are required for new degree programs:

1. A letter of intent should include information about the proposed program's purposes and **learning** goals, need, student demand, curriculum, faculty, and cost assessment. The Letter of Intent will be reviewed by [The Graduate School's] the Committee on Curriculum and Degree Requirements and, if approved, by Graduate Council. If approved by Graduate Council, the letter of intent will be forwarded to the City University's Office of Academic Affairs for review.
2. If the letter of intent is approved by the City University's Office of Academic Affairs, a full proposal will be developed with more detail and greater documentation, including the required external evaluation.
3. The full proposal will be reviewed by [The Graduate School's] **Committee on Curriculum and Degree Requirements [Committee]** and, if approved, by Graduate Council. If approved by Graduate Council, the proposal will be forwarded to the City University's Office of Academic Affairs for review prior to consideration by the City University's Board of Trustees Committee on Academic Policy, Programs, and Research and, finally, by the Board of Trustees.
4. Program proposals approved by the City University's Board of Trustees will be forwarded to the New York State Department of Education for review and final authorization.

3.1C During the period between the inception of a new degree program at The Graduate School and the approval of its governance [structure by] **by the Committee on Structure and by** the Graduate Council, the interim structure shall be as follows: The President, with input from the program's planning committee, shall appoint an Executive Officer (EO) of such Doctoral Program and the EO of the Master of Liberal Studies or Director of any Graduate Center MA Program. In addition, the President shall appoint five members of the Executive Committee from the program's faculty including at least one from any college that has or will have at least six faculty on the initial program faculty, and including at least one from among those who have full-time appointments at The Graduate School. All other rules and regulations of The Graduate School and of the City University Board of Trustees Bylaws shall also apply during the interim period.

3.1D After a new program has been in existence for one academic year, it shall draw up a detailed governance structure consistent with this Governance document and the Graduate Council Bylaws of The Graduate School. For that purpose a faculty-student ad hoc Governance Committee shall be established. The Committee shall consist of six to ten members, half of whom shall be faculty and include the Executive Officer, and half of whom shall be students elected for that purpose by the student body by mail, **email, or other electronic means.** [ballot.] Nominations for faculty members shall be made by the Executive Committee; nominations of student members shall require signatures of five students or 20 percent of the students in the program, whichever is fewer.

3.1E The governance proposal prepared by the ad hoc Committee shall be submitted to the faculty and students two weeks in advance of the vote and shall, after a faculty-student meeting, be submitted to a **vote of faculty and students by** mail, **email, or other electronic means.** **[vote by faculty and students.] Faculty and students shall vote separately.** A majority of those voting in each group must vote affirmatively for the proposal to pass.

3.1F A description of the program governance shall be submitted to the Committee on Structure, which shall forward the proposal with its recommendations to Graduate Council. The recommendation of the Committee shall be adopted unless rejected by a three-quarters vote of the Graduate Council members present.

The description of the program governance shall include:

1. The composition of the Executive Committee and the Standing Committees described in this Governance document;
2. The composition and functions of other committees the program may wish to establish;
3. The nomination and election procedures for participants in the governing bodies of the program, the criteria for student membership pursuant to Section 6.4B, and the responsibilities and prerogatives of the student members.

3.2 General Provisions for Program Governance

3.2A Proposals for doctoral and master's program governance or amendments thereto shall be explicit in all of their provisions and shall not "incorporate by reference" the provisions of the Bylaws of the Graduate Council, Bylaws of the City University, or other regulation or legislation.

3.2B Formal provisions shall be made for the expression of student opinions on decisions affecting appointments, promotion, and tenure of individual faculty members.

3.2C In programs with subprograms, the subprogram governance shall conform to relevant portions of this Governance document regarding program structure. It is the Executive Officer's responsibility to determine that this adherence to The Graduate School governance exists, and the responsibility of the program Executive Committee to approve any changes necessary to bring subprogram structures into conformity with the Governance document of The Graduate School.

3.2D Certificate Programs [at the GC] shall have a Coordinator and a five member standing advisory committee elected by the faculty of the program(s) in which the certificate program is housed.

3.2E The procedures of Graduate School committees, programs, and subprograms shall be governed by the latest edition of ROBERT'S RULES OF ORDER, NEWLY REVISED, in all cases in which they are applicable and not inconsistent with this Governance document and the Graduate Council Bylaws of The Graduate School.

3.3 Modification of Program Governance Structure

3.3A With the approval of the Committee on Structure and Graduate Council, specific aspects of the program structure and organization provided for in this section may be modified to meet exceptional conditions prevailing in a doctoral program.

3.3B Programs may at any time propose a change in their structure within the requirements of the Governance document of The Graduate School provided that changes are submitted by a majority of the program's Executive Committee, and after timely notification to the program's faculty and students of the proposed changes, to the Committee on Structure for review and recommendation to Graduate Council for its consideration.

3.3C If at least 30 percent of the doctoral faculty or 30 percent of the matriculated students in a program sign a proposal to change the program's structure, the proposal shall be considered by the Committee on Structure of the Graduate Council. If the Committee on Structure approves the proposal, it shall forward the proposal with its recommendation to Graduate Council for its approval.

3.4 Executive Officer

3.4A Each doctoral program of The Graduate School and the Master of Arts (M.A.) Program in Liberal Studies shall have an Executive Officer responsible for administering the affairs of the program in accordance with this Governance document, and with the policies established by the program faculty, Graduate Council, and the CUNY Board of Trustees.

3.4B The Executive Officer shall be appointed by the President for a term not exceeding three years. The President shall actively solicit nominations and counsel from the individual members of the Executive Committee, doctoral faculty, and students matriculated in the program concerning this appointment. The Executive Officer may be reappointed.

3.4C The Executive Officer shall preside at meetings of the program's faculty, Executive Committee, and Faculty Membership Committee. The Executive Officer shall have authority to initiate policies and actions concerning the affairs of the program, subject to the powers delegated by this Governance document to the program's faculty. The Executive Officer shall serve ex officio as a voting member of all program committees.

3.4D Courses to be offered each semester shall be determined by the Executive Officer after consultation with representative groups of faculty and students. The Executive Officer shall assign faculty to teach these courses.

3.4E The Executive Officer shall work with chairs of CUNY college departments in the Executive Officer's discipline to develop procedures for making new faculty appointments useful both to the college departments and to The Graduate School. The Executive Officer shall try to ensure that when department chairs recruit part-time faculty, they give preference to qualified students enrolled in the doctoral programs, in accordance with the policies of The City University of New York.

3.5 Executive Committee

3.5A The Executive Committee of each program shall be constituted as required by each program's governance after approval by the Graduate Council Committee on Structure and by Graduate Council in accordance with the following provisions. There shall be established in each program an Executive Committee to be composed of at least five members. It shall include at least one faculty member from each senior college substantially participating in the program ("substantially participating" is defined as having six members on the faculty of the program) (Section 9.4, CUNY Board of Trustees Bylaws). In programs in which the doctoral faculty includes two or more faculty members (other than the Executive Officer) who hold Graduate School appointments, at least one member of the Executive Committee shall be elected from this category. Members of the Executive Committee shall be elected for a term not to exceed three years, but may be reelected.

3.5B The Executive Committee shall have the authority for the operation of the program between the stated meetings of the program's faculty subject to the policies established by the faculty. It shall meet at least once a semester with the students matriculated in the program. The Executive Officer shall serve as Chair of the Executive Committee (Section 9.4, CUNY Board of Trustees Bylaws).

3.5C The Executive Committee may make recommendations to the appropriate committees of Graduate Council and to the administration of The Graduate School.

3.5D The Executive Committee in coordination with the Faculty Membership Committee shall conduct a continuing review of the faculty of the University relevant to that program. The Executive Committee shall work with the Executive Officer to forward the policy in Section 3.4E of this Governance document.

3.5E The Executive Committee shall recommend policies and procedures on dissertations.

3.5F In the fall semester of the final year of the Executive Officer's current term, the Executive Committee of each program shall undertake a review of its program governance to ensure that it reflects current governance practice and remains in compliance with the most recent Graduate School governance, Board of Trustees policy, and New York State law, making any necessary amendments and revisions.

3.6 Program Standing Committees

Each degree program shall have the following Standing Committees, and such other committees as its faculty, its governance structure, or its Executive Committee may determine. The committees' responsibilities are as follows:

- 3.6A Faculty Membership: To nominate members of the program's faculty as provided for in Section 6.1 below with a view toward including in the doctoral program faculty newly appointed at the colleges; to maintain a roster of potential doctoral faculty appointments; to record annually the status of those faculty members currently designated; to review all other actions taken in regard to membership on the doctoral faculty.
- 3.6B Curriculum and Examinations: To review curriculum and to submit curriculum recommendations for action; to recommend procedures and standards for the conduct of examinations.
- 3.6C Admission and Awards: To recommend admission and awards procedures and standards for the program; to administer these procedures in accordance with these standards.
- 3.6D Elections: To conduct all program elections.

Sec. 4 MASTER'S PROGRAMS AND CERTIFICATE PROGRAMS

4.1 Definition

A certificate program at The Graduate School is a formalized interdisciplinary concentration that grants certificates simultaneously with the awarding of doctoral degrees. The development of a certificate program is overseen by the Interdisciplinary Studies Committee and requires the approval of that committee, the Committee on Curriculum and Degree Requirements, and Graduate Council prior to being presented for approval first by the Board of Trustees of The City University of New York and then by the State of New York.

Master's programs at the GC which are headed by a Director may be free-standing or housed within a Doctoral Program.

4.2 Administration and Structure

- 4.2A A certificate program shall have a Coordinator administering the affairs of the program in accordance with the policies established by the program faculty, Graduate Council, and the CUNY Board of Trustees.
- 4.2B Master's programs (except the Master of Arts in Liberal Studies) which are not part of an existing doctoral program shall have a Director administering the program in accordance with the policies established by the program faculty, Graduate Council, and the CUNY Board of Trustees.
- 4.2C Directors of master's programs and Coordinators of certificate programs shall be appointed by the President for a term not exceeding three years. The President shall solicit nominations and counsel in making such appointments as described in Section 3.4B of this Governance document.
- 4.2D The responsibilities of the Director or the Coordinator are the same as those outlined for Executive Officers in Sections 3.4C and 3.4D of this Governance document.
- 4.2E A certificate program shall have an Advisory Committee appointed by the President after consultation with the Coordinator. Appointees must be members of the doctoral faculty.
- 4.2F The Certificate Program Advisory Committee shall nominate to the President members of the initial certificate program faculty. Nominees should be members of the doctoral faculty, except as noted in Section 6.2C, below.
- 4.2G After a new master's or certificate program has been in existence for one academic year the Program Advisory Committee shall propose a governance structure for the program and submit it to the Committee on Structure, which shall forward the proposal with its recommendation to Graduate Council for approval.

The governance structure shall include procedures for establishing standing and ad hoc committees, for making faculty appointments, and for proposing modification of certificate requirements in accordance with procedures described in Section 3.2 of this Governance document.

Sec. 5 FACULTY APPOINTMENTS, REAPPOINTMENTS, PROMOTIONS, TENURE

- 5.1 Recommendations for faculty appointment, reappointment, promotion, and tenure on Graduate School lines assigned to The Graduate School must first be considered by the Executive Committee of the relevant program, next by the Academic Review Committee, and then by the President.
- 5.2 Student members of the Executive Committee have the right to participate in all discussions on matters of policy and on individual candidates for appointment, reappointment, promotion, and tenure, but may not vote on individual candidates.

- 5.3 Recommendations for appointment, reappointment promotion, and tenure of faculty appointed on Graduate School lines allocated to a senior college are initiated and reviewed at the college and submitted by the college president directly to the CUNY Board.

Sec. 6 FACULTY AND STUDENTS

6.1 Faculty Membership in Doctoral Programs

- 6.1A During the first two years of a degree program, the faculty shall be appointed by the President. Thereafter, the program's faculty shall be determined in accordance with the following paragraphs.
- 6.1B Appointment to the doctoral faculty is initiated by means of written nomination from the appropriate program committee(s) to the Provost and is effective when the appointment is approved by the Provost. Appointment to the doctoral faculty may not be initiated by the Provost or President except in the case of newly established doctoral or certificate programs or in extraordinary circumstances with the approval of the Academic Review Committee.
- 6.1C The continued membership of each faculty member of each doctoral program shall be reviewed regularly by the Faculty Membership Committee and/or Executive Committee of each program in accordance with the program's faculty membership policy.
- 6.1D The program's governance structure shall stipulate whether nomination for appointment is made by (a) the Faculty Membership Committee, (b) the Executive Committee, or (c) the Executive Committee after recommendation by the Faculty Membership Committee, and the criteria employed by the program for nomination to, and continuance on, the doctoral faculty.
- Criteria shall include:
1. A determination that the faculty member will make a significant contribution relevant to the needs of the program, and
 2. Evidence of significant research relevant to the doctoral program, or
 3. Evidence of qualification to teach a doctoral course or provide other doctoral-level training, or
 4. Evidence of qualification to supervise doctoral dissertations or other graduate-level research.
- 6.1E A member may be removed from the doctoral faculty on the recommendation of the appropriate program committee(s), but only after the member has been given one year's prior notice of the intention to remove.
- 6.1F The faculty member may appeal the decision to remove to the program's Executive Committee, the Provost, and the President.
- 6.1G The appointment of full-time CUNY faculty as members of the doctoral faculty (except as in 6.1I below) confers full rights and duties.
- 6.1H Only members of the doctoral faculty may teach a doctoral-level course more than twice or chair dissertation committees.
- 6.1I In order to meet emergency needs, an Executive Officer may recommend directly to the Provost appointment of individuals to the doctoral faculty for a period of one semester or one year. Such temporary appointments may not be repeated for a cumulative total of more than two semesters. Notification of such appointments shall be conveyed to the Faculty Membership Committee and/or the Executive Committee. Temporary appointees do not have voting rights in the program, nor may they be appointed to program committees.
- 6.1J Part-time CUNY faculty and faculty or professionals at other institutions may be recommended for adjunct appointment to the doctoral faculty. Their rights and duties with respect to strictly academic activities (e.g., chairing a dissertation committee) are the same as those of other doctoral faculty.

6.2 Faculty Membership in Certificate Programs and Other Educational Programs

- 6.2A An Advisory Committee for a certificate program and the Executive Committee of a master's program not housed within a doctoral program shall nominate to the President members of the initial program faculty. Nominees shall be members of the doctoral faculty.
- 6.2B The foregoing program structure rules for faculty membership apply as well to certificate and other educational programs of The Graduate School.
- 6.2C An individual qualified to serve a needed teaching, supervisory, or other function in a certificate or other educational program, but ineligible for membership in an existing doctoral program because there is no relevant doctoral program or because the definition of a relevant doctoral program precludes the individual's specialization, may be appointed in the following manner: after informing related doctoral programs of an intended appointment, the program forwards such nominations to the Provost accordingly, as required by the program's governance.

6.3 Faculty Responsibilities

- 6.3A The Executive Committee of each program shall call at least one meeting a year of the faculty and present a report to the faculty. At any meeting of the program faculty a quorum shall consist of 25 persons or 50 percent of the faculty, whichever is smaller.
- 6.3B The faculty, through its members on the Standing Committees of the program, shall have responsibility to establish policies for the program. At any meeting of the faculty, a quorum being present, the faculty of each program may vote to make direct recommendations without Executive Committee approval to the appropriate committee of Graduate Council or to the administration on any matter that affects them.
- 6.3C The Executive Committee of the Graduate Council may receive motions for action directly from program faculty or from a program's Executive Committee.

6.4 Student Responsibilities

- 6.4A The Executive Committee shall call a meeting with the students of each program at least once each semester.
- 6.4B The students shall have responsibility through student representatives to the Executive Committee and the Standing Committees of each program to make known their views on the policies of the program. All students on these committees shall be chosen by means of an election by mail, **email, or other electronic means** by the students in the program. Any matriculated student shall be eligible to serve. Students of any program may make direct recommendations to the appropriate committee of Graduate Council or to the administration for immediate consideration on any matter that affects them if at least 10% of the students in that program support those recommendations.

Sec. 7 AMENDMENTS AND REVIEW

- 7.1 This Governance document may be amended by a two-thirds affirmative vote of the members present, there being a quorum, at any stated or special meeting of Graduate Council, provided that the text of the proposed amendment shall have been sent in writing to every member of Graduate Council at least two weeks before the meeting at which the proposed amendment is to be considered.
- 7.2 At the final spring meeting of the Graduate Council of every even-numbered year, the Committee on Structure shall present a report on the Governance document together with such recommendations for amendments, revisions, or alterations as it shall deem appropriate. The procedures described in the previous paragraph shall be followed except that such amendments shall require a majority affirmative vote of the members present, there being a quorum.

Approved by the Board of Higher Education on September 28, 1970; June 19, 1972; September 23, 1974; September 27, 1976; August 7, 1978; and by the Board of Trustees on August 4, 1980; June 28, 1982, January 28, 1985; June 23, 1986; June 27, 1988; February 27, 1995, June 25, 2001; June 23, 2003; June 27, 2005; June 26, 2006; September 22, 2008; June 28, 2010

C. HUNTER COLLEGE - THE KLARA AND LARRY SILVERSTEIN STUDENT SUCCESS FLOOR AND THE KLARA AND LARRY SILVERSTEIN LIBRARY LOBBY/FOYER:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of The Klara and Larry Silverstein Student Success Floor and The Klara and Larry Silverstein Library Lobby/Foyer at Hunter College for a term of 25 years from the date construction is completed.

EXPLANATION: In June 2012 Klara and Larry Silverstein pledged \$5,000,000 to The Hunter College Foundation, Inc. to establish and name The Klara and Larry Silverstein Student Success Floor and The Klara and Larry Silverstein Library Lobby/Foyer in the Hunter College Library. The Student Success Floor will be located on the 7th floor of the Library and designed so that students, many of whom commute to the college, can have a dedicated space for quiet study, collaboration on group projects and receipt of one-on-one tutoring and counseling. The Silverstein Lobby/Foyer will be located on the third floor of the Library. The first \$2 million installment of this gift has already been paid.

Klara Apat Silverstein (Class of 1954) received a B.A. in social sciences and an M.A. in special education from Hunter College. A former teacher, Mrs. Silverstein is a member of the Hunter College Hall of Fame. She served for eleven years as chair of the Hunter College Foundation and, as such, was a key ambassador for Hunter, promoting the College throughout New York City. Her husband, Larry A. Silverstein, is President and CEO of Silverstein Properties, Inc., a real estate development and investment firm. Mr. Silverstein has served as Vice Chairman of the New York University Board of Trustees and is the Founder and Chairman emeritus of the New York University Real Estate Institute.

The Silversteins have been longtime friends and donors to Hunter College, having previously established and endowed the Klara and Larry Silverstein Dean of the Hunter College School of Education, and contributed to the Hunter College Mother's Day Scholarship Campaign.

D. HUNTER COLLEGE - NAMING OF THE DR. STOWE WHITMAN HAUSNER STUDY ROOM AT HUNTER COLLEGE HIGH SCHOOL:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of The Dr. Stowe Whitman Hausner Study Room at Hunter College High School.

EXPLANATION: The late Dr. Stowe Whitman Hausner (1923-1992) graduated from Hunter College High School in 1940 and went on to receive a B.A. from Hunter College in 1944. She subsequently received her M.S.W. from Columbia School of Social Work and a Ph.D. from New York University. Dr. Hausner was the founding director of the social services division at Northern Westchester Hospital in Mount Kisco, New York and chief social worker for the Westchester County Community Health Board. Prior to holding that position, she was a program manager at the National Institute of Mental Health, and taught social work at The State University of New York at Stony Brook. Dr. Hausner also maintained an active psychotherapy practice in cognitive therapy.

In 2007, members of Dr. Hausner's family made gifts to the Hunter College Campus Schools Campaign in her memory totaling \$125,000. The donors were Harriet W. and Arthur H. Aufses, Jr., Phyllis W. and Aaron T. Beck, Gabriel Hausner, and Lois and Martin J. Whitman. In recognition of their generosity, the College seeks approval to name a study room in the library of Hunter College High School in honor of Dr. Hausner.

E. HUNTER COLLEGE - NAMING OF THE CORRINE AND ARNOLD BARSKY FAMILY LOBBY AT ROOSEVELT HOUSE:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of The Corrine and Arnold Barsky Family Lobby at Hunter College's Roosevelt House.

EXPLANATION: Corrine Barsky, a friend of Hunter College and a long-time admirer of Eleanor Roosevelt, pledged a \$100,000 charitable gift annuity in December 2010 to The Hunter College Foundation to support maintenance, public programming and other expenses of the Roosevelt House Public Policy Institute at Hunter College. Mrs. Barsky is also underwriting the filming and production of a documentary on Roosevelt House.

Corrine Barsky is a generous philanthropist who has supported the Jewish Museum, the Metropolitan Museum of Art, the Cooper Hewitt Museum and the Hebrew Home at Riverdale. She has served on the boards of the Jewish Museum, the Collegiate Chorale and the Samuel Waxman Cancer Research Foundation. She currently serves on Hunter College's Neighborhood Advisory Committee.

In recognition of her generosity, the College wishes to name the mezzanine lobby of the Roosevelt House "The Corrine and Arnold Barsky Family Lobby."

F. HONORARY DEGREES: RESOLVED, That the following honorary degrees, approved by the appropriate faculty body, the college president and recommended by the Chancellor, be presented at the commencement exercise as specified:

COLLEGE	DEGREE
HUNTER COLLEGE	
Tenzin Gyatso, 14 th Dalai Lama of Tibet	Doctor of Humane Letters
(To be conferred at Hunter College's Roosevelt House Public Policy Institute on October 19, 2012)	

- 2.3. No Covered Individual shall disclose confidential information acquired in the course of his or her duties or responsibilities at the University, except as required by such duties or responsibilities or by law, nor use such information to further his or her personal interests.
- 2.4. No Covered Individual shall use or attempt to use his or her position at the University to secure unwarranted privileges or exemptions for himself or herself or others.
- 2.5. No Covered Individual shall engage in any transaction as a representative or agent of the University with any business entity in which he or she has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his or her duties or responsibilities at the University.
- 2.6. A Covered Individual shall not by his or her conduct give reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her duties or responsibilities at the University, or that he or she is affected by the kinship, rank, position, or influence of any party or person in the performance of those duties or responsibilities.
- 2.7. A Covered Individual shall abstain from making personal investments in enterprises that he or she has reason to believe may be directly involved in decisions to be made by him or her at the University or that will otherwise create substantial conflict between his or her duty or responsibility at the University and his or her private interest.
- 2.8. No Covered Individual, nor any firm or association of which he or she is a member, nor any corporation ten percent (10%) or more of the stock of which is owned or controlled directly or indirectly by such Covered Individual, shall sell any goods or services having a value in excess of \$25 to the University, or contract for or provide such goods or services with or to any private entity where the power to contract, appoint, or retain on behalf of the private entity is exercised, directly or indirectly, by the University, unless such goods or services are provided pursuant to an award or contract let after public notice and competitive bidding.
- 2.9. No Covered Individual shall accept gifts of more than nominal value where the circumstances would permit the inference that (a) the gift was intended to influence the Covered Individual in the performance of his or her duties or responsibilities at the University, or (b) the gift constituted a tip, reward, or sign of appreciation for any act by the Covered Individual in connection with those duties or responsibilities. ~~This prohibition applies notwithstanding New York State Public Officers Law § 73(5), which provides that gifts up to \$75 may be allowed in certain circumstances.~~

3. Policy regarding Nepotism in Hiring, Employment, Supervisory Responsibility, and Contracting.

3.1. General. The University seeks to foster a work environment conducive to a satisfying family life for all members of the University community and to accommodate, wherever appropriate, individual needs relating to family life. At the same time, there are a number of situations where the personal interests of a member of the University community may conflict with the proper discharge of his or her duties and responsibilities at the University. In keeping with New York State Public Officers Law §§ 73(14) and (15) ~~and Executive Order No. 1 issued on January 1, 2007,~~ this Policy recognizes that conflicts may be inherent in the hiring, employment, and supervision of a Covered Individual's Family Members as well as in entering into contracts that relate to Family Members or with entities in which Family Members have a personal or financial interest. Accordingly, this Section 3 sets forth certain specific prohibitions against a Covered Individual's participation in the conduct of University business involving his or her Family Members.

3.2. Hiring and Employment Decisions. No Covered Individual shall take part in any decision to hire, promote, discipline, or discharge any of his or her Family Members with respect to any position at the University. If such a hiring or employment matter arises relating to a Family Member, then the Covered Individual must advise his or her supervisor of the relationship in writing and must be recused from any and all discussions or decisions relating to the matter.

3.3. Supervisory Responsibility. No Covered Individual shall have Supervisory Responsibility for any of his or her Family Members at the University, except as provided by a written waiver as set forth in this Section 3.3, or in the case of research projects, as provided in Section 3.6 below. (For the purpose of this Section 3.3, a Covered Individual shall be deemed to have "Supervisory Responsibility" for a Family Member if the Family Member (a) directly reports to the Covered Individual, or (b) directly reports to a supervisor who reports ultimately to the Covered Individual, regardless of the number of reporting levels that separate the Family Member from the Covered Individual.) Although Department Chairs are Covered Individuals, for the purpose of this section, they shall not be deemed to have any Supervisory Responsibility for full-time faculty members in their department under this section, but they shall be deemed to have Supervisory Responsibility for their department's adjunct faculty members.

If at the time of the initial implementation of this Section 3.3 following the effective date of this Policy, a Covered Individual has Supervisory Responsibility for a Family Member at the University, or subsequent to the initial implementation of this section a Covered Individual may come to have such Supervisory Responsibility, the Covered Individual shall make reasonable efforts to effect a change in the organization or have the Family Member reassigned in order to avoid a violation of this section. If, however, such a change or reassignment is not feasible (e.g., as a result of civil service rules or provisions of the applicable collective bargaining agreement) or would result in significant harm to the operations or activities of the University, the Covered Individual may file a written request for a waiver ~~from with~~ the Vice President for Administration of the College where the Covered Individual is employed or such other College official as may be designated by the College President. Such request shall set forth the efforts that have been made to effect a change in the organization, the reasons why a reassignment of the Family Member is not feasible, and the reasons why such a change or reassignment would result in significant harm to the University's operations or activities. If, after a review of all the relevant

circumstances, ~~the~~ a waiver in writing is granted, the Covered Individual may continue or assume, as the case may be, Supervisory Responsibility for his or her Family Member.

Notwithstanding any waiver regarding Supervisory Responsibility for a Family Member pursuant to the preceding paragraph, no Covered Individual shall participate under any circumstances in any action that directly affects his or her Family Member as an employee of the University individually, and not as a member of a group, including, but not limited to, performance evaluations, position reclassifications, and determination of promotional opportunities or eligibility for additional compensation of any kind from the University.

3.4. Contracting Decisions. No Covered Individual shall take part in any contracting decision at the University (a) relating to a Family Member, or (b) relating to any entity in which a Family Member is an officer, director, or partner, or in which a Family Member owns or controls ten percent (10%) or more of the stock of such entity. If a contracting matter arises involving either clause (a) or (b), then the Covered Individual must advise his or her supervisor of the relationship in writing and must be recused from any and all discussions or decisions relating to the matter.

3.5. Family Members. The definition of Family Member, which appears in Section ~~5.10 of this Policy, is based on the definition in New York State Executive Order No. 1 issued on January 1, 2007. In order to comply with the Executive Order and to satisfy the needs of the University, the definition under this Policy~~ 6.11 of this Policy, is very broad. It covers not only spouses and domestic partners, parents, children, and siblings, but it also extends as far as great grandparents and great grandchildren and many other relatives of a Covered Individual and his or her spouse or domestic partner, as well as to other individuals living in the same household as the Covered Individual. If a Covered Individual has any questions about whether the provisions of this Section 3 apply to his or her situation, it is incumbent upon the Covered Individual to consult the University's Office of the General Counsel: at ogc@mail.cuny.edu.

3.6 Applicability to Research.

~~3.6.1~~ 3.6.1 Research Positions Administered through the Research Foundation. Sections 3.1 through 3.5 shall not apply to any research positions funded through administered through the Research Foundation. Hiring, employment, and contracting decisions and supervisory responsibility ~~involving a Covered Individual's Family Members in connection with~~ such positions shall be governed by the Conflict Code of Interest Policy Ethics of the Research Foundation.

3.6.2 Research Positions Not Administered through the Research Foundation. Sections 3.1 through 3.5 shall not apply to any research positions not administered through the Research Foundation if (a) the Investigator files a written request for a waiver with the Vice Chancellor for Research setting forth the description of the research project, the nature of the involvement of the Investigator's Family Member, and the reasons why it would be appropriate for the waiver to be granted; and (b) the Vice Chancellor for Research, after a review of all the relevant circumstances, grants the waiver in writing.

4. Policy on Financial Conflicts of Interest in Research.

4.1. Scope. ~~This Section 4 applies to all research projects, regardless of the source of funding or support or the commercial exploitation of the results of such projects.~~

~~4.2. General~~. A particular purpose of this Policy is to promote integrity in research by establishing standards and procedures to ensure ~~that there is no reasonable possibility that, to the extent possible, that any Significant Financial Interest (as defined in Section 6.16) that could directly and significantly affect~~ the design, conduct, reporting, or regulatory review of a research project at the University, regardless of the source of funding or the commercial exploitation of the results of such projects, will be biased by any conflicting financial interests of a Covered Individual project at the University (each, a "Financial Conflict of Interest" or "Financial Conflict") does not bias the design, conduct, reporting, or regulatory review of the research project.

The University recognizes that interactions between Investigators (as defined in Section 6.14) in a research project at the University ~~researchers~~ and commercial entities have many beneficial results for the University and its faculty, staff, post-doctoral associates, and students, as well as the commercial entities themselves. For example, such interactions are an especially effective means of facilitating the commercial development of University intellectual property, which benefits the public with new goods and services and stimulates economic development. ~~The University also recognizes that researchers are unlikely to undertake the significant burdens associated with such activities without additional economic incentives. Nevertheless, these economic incentives~~ Nevertheless, these interactions may raise conflicts between the personal financial interests of the University researcher ~~University researcher~~ Investigator and the interests of the University. In some cases, such conflicts may reasonably appear to be likely to affect the judgment of ~~a University researcher~~ an Investigator.

The University has determined that a strict prohibition of Financial Conflicts of Interest ~~(as defined in Section 5.7), with disciplinary sanctions for violation,~~ does not serve the public interest because potentially beneficial interactions with industry would be lost. Moreover, the University recognizes that Financial Conflicts of Interest will inevitably arise in a modern research university and that the mere existence of such Financial Conflicts, in the absence of wrongful behavior, is not necessarily improper. As a result, consistent with Federal regulations dealing with objectivity in research and investigatory financial disclosure policy ~~issued by the Department of Health and Human Services in 42 CFR Part 50 and 45 CFR Part 94 on July 11, 1995,~~ this Policy seeks to manage Financial Conflicts of Interest in order to minimize the potential harm that could result either from Financial Conflicts that actually impair the judgment of ~~Covered Individuals~~ Investigators or from the appearance that the judgment of ~~Covered Individuals~~ Investigators has been or will be impaired. The University reserves the right to prohibit the existence of Financial Conflicts of Interest that present unmanageable risks or that would require excessive resources to manage.

~~While the University assumes that all Covered Individuals act with the highest level of personal responsibility, integrity, and commitment to the University, the~~ complex situations that may arise involving Financial Conflicts of Interest require management using specialized knowledge and a multi-disciplinary, problem-solving approach. Therefore, this Policy provides for qualified individuals designated at each College, as well as a University-wide Conflicts Committee, to review disclosures by Covered Individuals of Conflicts involving a Investigators of Significant Financial Interest (as defined in Section 5.14) ~~and to manage those~~ Interests related to the Investigators' Institutional Responsibilities (as defined in Section 6.13) to determine whether such Significant Financial Interests are related to the Investigator's research and constitute Financial Conflicts of Interest, and if so, to manage those Financial Conflicts in a fair, objective, and confidential manner. ~~Over time, decisions made at the Colleges and by the Conflicts Committee may become precedents that will be used for guidance to assure continued principled decision-making. Some of these decisions may periodically be communicated (in a non-identified fashion) to faculty and staff in the form of advisories or guidelines. It is anticipated that, promptly after its formation, the Conflicts Committee will establish and distribute advisories regarding typical Conflict of Interest situations and their appropriate resolution, in accordance with applicable laws and regulations, this Policy, and any applicable Conflict of Interest Procedural Document.~~

4.2.4.3. Disclosure of Significant Financial Interests. In addition to any obligation under other University policies, including the University's Intellectual Property Policy, ~~each Covered Individual~~ any applicable Conflict of Interest Procedural Document, or any Federal, state, or local laws or regulations, each Investigator must disclose to the College Conflicts Officer at his or her College ~~a~~ each Significant Financial Interest that is related to his or her Institutional Responsibilities in any situation designated in this Section ~~4.2. The University's Office of the General Counsel will issue appropriate disclosure forms and arrange to make them available to Covered Individuals at each College.~~ 4.3. All disclosures must be made in writing to the College Conflicts Officer (with a copy to the Grants Officer at the College if the Significant Financial Interest is related to a sponsored research project) using the disclosure forms provided by the Office of the Vice Chancellor for Research.

The following situations require disclosure at the time noted in each paragraph:

~~4.2.1.4.3.1.~~ Proposals and Applications for Research Funding or Support - If (a) ~~a Covered Individual~~ an Investigator intends to design, conduct, or report research at the University, or participate in the regulatory review of such research, and (b) funding or other support for the research is being sought directly or indirectly from a government agency, non-profit institution, ~~or~~ Company (as defined in Section ~~5.6~~ 6.5), or the University, and (c) at the time a proposal or application for such funding or support is being prepared, the ~~Covered Individual~~ Investigator has a Significant Financial Interest that ~~would reasonably appear to be affected by the research, or the Covered Individual intends to acquire such a Significant Financial Interest at any time before two years following the conclusion of the research, then the Covered Individual~~ is related to his or her Institutional Responsibilities, then the Investigator must disclose the Significant Financial Interest to the College Conflicts Officer and the Grants Officer at his or her College before the proposal or application is submitted to the agency, institution, Company, ~~and/or~~ the University. ~~In addition, the Covered Individual~~ The Investigator must also comply with any disclosure and approval procedures required by the agency, institution, ~~or~~ Company, or the University in connection with any such proposal or application.

Although a Significant Financial Interest relating to a proposal or application for research funding or support must be disclosed ~~to the College Conflicts Officer~~ prior to the submission of the proposal or application, the review of ~~any related Conflict under this Policy~~ the Significant Financial Interest by the College Conflicts Officer and the Conflicts Committee may take place after such submission. If, however, a proposal or application for research funding or support is submitted before ~~such review of the related Conflict, the Conflict must be approved, the Significant Financial Interest must be reviewed, and any related management or oversight plan developed by the Conflicts Committee under Section 4.5.1 must be implemented,~~ prior to the expenditure of any awarded funds or support. Notwithstanding the foregoing, in the case of research at the University involving multi-year funding or support that requires an annual renewal or progress report, the ~~Covered Individual~~ Investigator must disclose any previously undisclosed Significant Financial Interest ~~to the College Conflicts Officer~~ and updated information regarding any previously disclosed Significant Financial Interest, and also receive approval in writing in accordance with this Policy, before ~~at~~ the renewal application or progress report is submitted to the agency, institution, Company ~~and/~~ or the University.

~~4.2.2. Conduct or Review of~~ 4.3.2. Ongoing Funded or Supported Research - If (a) ~~a Covered Individual~~ an Investigator designs, conducts, or reports ongoing research at the University, or participates in the regulatory review of such research, and (b) the research is funded or supported directly or indirectly by a government agency, non-profit institution, ~~or~~ Company, or the University, and (c) the ~~Covered Individual~~ Investigator has ~~acquired or intends to acquire~~ or subsequently acquires a Significant Financial Interest that ~~would reasonably appear to be affected by the research at any time before two years following the conclusion of the research, then the Covered Individual~~ is related to his or her Institutional Responsibilities, then the Investigator must disclose the Significant Financial Interest to the College Conflicts Officer and Grants Officer at his or her College and receive approval in writing in accordance with this Policy before the Significant Financial Interest is acquired, or as soon thereafter as possible if prior disclosure is impossible. ~~In addition, the Covered Individual~~ The Investigator must also comply with any disclosure and approval procedures required by the agency, institution, ~~or~~ Company, or the University in connection with such research.

~~4.2.3.4.3.3.~~ Licensing to Certain Companies - If (a) ~~a Covered Individual~~ an Investigator responsible for developing, discovering, or creating any University-owned intellectual property becomes aware, or should reasonably have become aware, of a Company's acquisition or intention to acquire ownership of or a license to that intellectual property, and (b) at such time, the ~~Covered Individual~~ Investigator has a Significant Financial Interest in that

Company, or ~~intends to acquire or actually~~subsequently acquires such a Significant Financial Interest ~~at any time in the future~~, then the ~~Covered Individual~~Investigator must disclose the Significant Financial Interest to the College Conflicts Officer at his or her College and receive approval in writing in accordance with this Policy before the Significant Financial Interest is acquired, or as soon thereafter as possible if prior disclosure is impossible.

~~4.2.4. Involvement~~4.3.4. Supervision of Students and Post-Doctoral Associates - If ~~a Covered Individual~~an Investigator has a Significant Financial Interest in a Company, or ~~intends to acquire or actually~~subsequently acquires such a Significant Financial Interest ~~at any time in the future~~, and he or she teaches, supervises, or otherwise has control over any students or post-doctoral associates at the University who ~~will~~might be involved in related work for the Company, then the ~~Covered Individual~~Investigator must disclose the Significant Financial Interest and the planned student or post-doctoral associate involvement to the College Conflicts Officer at his or her College and receive approval in writing in accordance with this Policy before the assistance of any students or post-doctoral associates in such work may commence or continue.

~~4.2.5.~~4.3.5. Changes in a Significant Financial Interest - All ~~Covered Individuals~~Investigators must promptly disclose to the College Conflicts Officer any material ~~changes~~change in a previously disclosed Significant Financial Interest. ~~If a College Conflicts Officer has a Significant Financial Interest in any of the situations described above, he or she must disclose it directly to the College Provost or Provost's Designee (as defined in Section 5.12) at the time noted in each paragraph.~~Interest within thirty (30) days after the change.

No disclosure is required under this Section ~~4.24.3~~ unless the Significant Financial Interest is within one of the above situations. ~~Subject to approval~~As required by Federal, state, or local laws or regulations, or as otherwise approved by the University's Board of Trustees, the Conflicts Committee may add to this list. In such event, the ~~Committee~~Office of the Vice Chancellor for Research shall issue an official advisory to provide notice of the change and shall update the disclosure forms for Significant Financial Interests to reflect the change.

~~The University strongly recommends that Covered Individuals begin the Conflict review process at the first stage of any transaction so that the transaction will not be delayed while the Conflict review process takes place.~~

~~4.3.4.4.~~ Review of Significant Financial Interests and ~~Disposition of~~Determination of Financial Conflicts at the College.

~~4.3.1.~~4.4.1. Designation and Duties of College Conflicts Officers - Each College President, after consultation with the appropriate faculty governance body at the College and approval by the Vice Chancellor for Research, shall designate an employee of the College as the College Conflicts Officer ~~in accordance with qualifications determined by the Executive Vice Chancellor for Academic Affairs and University Provost (the "EVC for Academic Affairs").~~ Each College Conflicts Officer shall perform the following functions:

- (a) promote awareness at the College of the need to disclose Significant Financial Interests in accordance with this Policy and all applicable Conflict of Interest Procedural Documents and make disclosure forms available throughout the College;
- (b) receive disclosures of Significant Financial Interests of ~~Covered Individuals~~all Investigators at the College and send copies of those disclosures the Office of the Vice Chancellor for Research;
- (c) review ~~such disclosures~~each disclosure of a Significant Financial Interest, investigate the disclosure and consult with the College Provost ~~or Provost's Designee in order to~~and appropriate Department Chair as necessary, determine whether any ~~Conflicts of Interest~~Financial Conflict involving a Significant Financial Interest ~~exist; and~~exists, and prepare a written report regarding such determination;
- ~~(d) after consultation with the College Provost or Provost's Designee, make a decision with respect to each Conflict involving a Significant Financial Interest for allowing the Conflict, setting conditions for its allowance, or prohibiting the Conflict by requiring steps to remove it, in accordance with Section 4.3.3.~~(d) if a Financial Conflict of Interest is determined to exist, send the report and the complete written record of the review and decision-making to the individuals specified in Section 4.4.2; and
- ~~(e) assist in the implementation and monitoring of any management and oversight plans developed by the Conflicts Committee for Financial Conflicts of Interest at the College.~~(e) assist in the implementation and monitoring of any management and oversight plans developed by the Conflicts Committee for Financial Conflicts of Interest at the College.

~~4.3.2. College Review and Decision-Making Process~~ - The College Conflicts Officer and the College Provost or Provost's Designee shall review each disclosure of a Significant Financial Interest within thirty (30) days of receipt of the disclosure, and within thirty (30) days thereafter the College Conflicts Officer shall make a decision and prepare a written report regarding the disposition of each Conflict involving a Significant Financial Interest. ~~The College Conflicts Officer shall promptly give the decision and report to the College President and the College Provost or Provost's Designee, and the decision and report and the complete written record of the review and decision-making of the case at the College to the Covered Individual involved and the University's Institutional Representative (as defined in Section 5.11). If the case involves a sponsored program funded through the Research Foundation, the College Conflicts Officer shall also promptly give the decision and report and the complete written record of the review and decision-making of the case at the College to the Research Foundation's Institutional Representative (as defined in Section 5.11). In any case in which the College Conflicts Officer or the College Provost or Provost's Designee has disclosed his or her own Significant Financial Interest pursuant to Section 4.2 or has a bias or conflicting personal interest (as such terms are defined with respect to~~

~~members of the Conflicts Committee in Section 4.4.4), such individual shall not participate in any review or decision for the disposition of the Conflict. In such a case, the College President may, at his or her discretion, designate another individual to participate in the review and decision-making process instead.~~

~~If a College Conflicts Officer has a Significant Financial Interest in any of the situations described in Section 4.3, he or she must disclose it directly to the College Provost or the Provost's designee at the required time. In such a case, the College Conflicts Officer shall not participate in any review or decision regarding the Significant Financial Interest, and the College President shall designate another individual to perform the review and decision-making process instead.~~

~~4.3.3. Disposition of Conflicts – The College Conflicts Officer may make his or her decisions regarding a Conflict of Interest involving a Significant Financial Interest using one or more of the following dispositions of the Conflict:~~

~~4.4.2. College Review and Decision-Making Process – Following the receipt of a disclosure of a Significant Financial Interest, the College Conflicts Officer shall review the Significant Financial Interest and make a determination whether the Significant Financial Interest: (a) is related to the Investigator's research (i.e., could be affected by the research or is in an entity whose financial interest could be affected by the research), and if so, (b) whether a Financial Conflict of Interest exists. Whether or not the College Conflicts Officer determines that a Financial Conflict exists, he or she shall promptly prepare a written report regarding the determination, send the report and the complete written record of the review and decision-making to the University Director for Research Compliance, the College Provost, the Investigator, and if the case involves a sponsored project administered through the Research Foundation, to the Legal Department of the Research Foundation.~~

~~(a) Allowance of the Conflict because the circumstances require no action;~~

~~4.5. The Conflicts Committee.~~

~~(b) Allowance of the Conflict with conditions, such as~~

~~4.5.1. Review and Management of Financial Conflicts of Interest – The University's Conflicts Committee shall review the College Conflicts Officer's report and the complete written record of his or her review and decision-making in connection with each Financial Conflict of Interest determined by the College Conflicts Officer. If the Conflicts Committee agrees with the determination of the College Conflicts Officer that the Significant Financial Interest is related to the research in question and that a Financial Conflict of Interest exists, the Committee and its staff shall develop and implement a conflict management and oversight plan that specifies the actions that have been, and shall be, taken to manage the Financial Conflict in accordance with the requirements of the research sponsor and the University. Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate the Financial Conflict include but are not limited to the following:~~

~~(i) public disclosure of the Significant Financial Interest in publications describing Conflict (e.g., when presenting or publishing the research results);~~

~~(ii) independent monitoring of the research; b) For research projects involving human subjects research, disclosure of the Financial Conflict directly to participants;~~

~~(c) Appointment of an independent monitor capable of taking measures to protect the design, conduct, reporting, and review of the research against bias resulting from the Financial Conflict;~~

~~(iii) modification d) Modification of the research plan; or~~

~~(iv) imposition of a holding period on the stock or other security in the case of a Significant Financial Interest consisting of equity, in order to minimize the appearance of influence on the outcome of the research;~~

~~(c) Prohibition of the Conflict with steps to remove it, such as:~~

~~(i) divestiture of the Significant Financial Interest;~~

~~(ii) e) Change of personnel or personnel responsibilities, or disqualification of the Covered Individual personnel from participation in all or a portion of the research; or~~

~~(iii) severance of relationships that create actual or potential Conflicts; or f) Reduction or elimination of the Significant Financial Interest (e.g., sale of an equity interest); or~~

~~(g) Severance of relationships that create the Financial Conflict.~~

~~(d) Postponement of consideration of the matter pending further information or investigation.~~

~~4.4. Review and Disposition of Conflicts by the Conflicts Committee.~~

~~4.4.1. Appeal to the Conflicts Committee – A Covered Individual may appeal a decision at his or her College on the disposition of a Conflict involving himself or herself to the Conflicts Committee. In addition, if the case involves a sponsored program funded through the Research Foundation, either the University's Institutional Representative or the Research Foundation's Institutional Representative may independently appeal the decision to the Committee. In a case not involving such a sponsored program, the Research Foundation's Institutional Representative may not appeal the decision to the Committee.~~

~~In the event a Covered Individual wishes to appeal a decision involving himself or herself to the Conflicts Committee, the Covered Individual shall give notice and a statement of the reasons for the appeal in writing to the College Conflicts Officer within thirty (30) days following the decision at the College. The College Conflicts Officer shall promptly give the Covered Individual's notice and statement to the University's Institutional Representative and (if the case involves a sponsored program funded through the Research Foundation) to the Research Foundation's Institutional Representative. The University's Institutional Representative shall then promptly give the Covered Individual's notice and statement to the Chair of the Conflicts Committee, the College President, and the College Provost or Provost's Designee and, at such time, shall also give the Chair the decision and report and complete written record of the review and decision-making of the case at the College.~~

~~In the event of an appeal by an Institutional Representative, the Institutional Representative shall, within thirty (30) days following the decision at the College, give notice and a statement of the reasons for the appeal in writing to the Chair, the appropriate College President,~~

~~The Conflicts Committee Administrator shall promptly send notice of the Conflicts Committee's determination that a Financial Conflict exists and a copy of the related management and oversight plan to the College Conflicts Officer, and College Provost or Provost's Designee, the Covered Individual involved. If the College Provost, the Investigator, any other individuals determined by the Vice Chancellor for Research, and, if the case involves a sponsored program funded project administered through the Research Foundation, the Institutional Representative making the appeal shall also give the notice and statements of the reasons for appeal to the other Institutional Representative. At such time, the Institutional Representative making the appeal shall also give the Chair the decision and report and complete written record of the review and decision-making of the case at the College Legal Department of the Research Foundation.~~

~~4.4.2.4.5.2. Composition of the Conflicts Committee - The University shall establish a ~~five~~seven-member University-wide Conflicts Committee consisting of the Vice Chancellor for Research or his or her designee, the President of the Research Foundation or his or her designee, a College Provost designated by the ~~EVC~~Vice Chancellor for ~~Academic Affairs~~Research, and ~~two~~four tenured University faculty members. These faculty members, ~~who~~ shall be actively involved in sponsored ~~programs, with~~research projects and shall have such other qualifications as may be determined by the ~~EVC~~Vice Chancellor for ~~Academic Affairs, and~~Research, shall be nominated by ~~a College President or~~ the University Faculty Senate and selected by the ~~EVC~~Vice Chancellor for ~~Academic Affairs~~Research. The Committee shall include faculty members from ~~two~~at least three different Colleges ~~and represent at least three different academic disciplines~~. The College Provost and the faculty members on the Committee shall serve a term of three years; provided, however, that ~~one~~two of the faculty ~~member~~members nominated at the time of the formation of the Committee shall serve ~~a term~~initial terms of ~~only one and~~ two years, ~~respectively~~, so that the terms of the faculty members will be staggered. Faculty members may not serve more than two consecutive terms. The Vice Chancellor for Research or his or her designee shall be the Chair of the Committee. The Chair shall be a voting member of the Committee but shall vote only in the case of a deadlock or to achieve a majority of the ~~voting~~ members of the Committee required for a decision under Section 4.4.5. ~~A member of the University's Office of the General Counsel and/or a legal representative of the Research Foundation shall attend all meetings of the Committee.~~4.5.5.~~

~~4.4.3.4.5.3. Meetings of the Conflicts Committee - The Conflicts Committee shall hold meetings with appropriate notice to all participants on a schedule determined by the Chair based on the number of ~~appeals~~Financial Conflicts of Interest that need to be reviewed ~~and any applicable deadlines for review and reporting established by research sponsors~~. Committee meetings shall require a quorum of a majority of the ~~voting~~ members of the Committee. Members of the Committee may participate in meetings using voice or video-conferencing technology, provided that all members receive copies of the materials to be discussed at the meetings in advance. The Chair or his or her designee shall be responsible for setting the agendas for the meetings and distributing to Committee members in advance of the meetings the disclosures of ~~Covered Individuals~~Investigators, the ~~decisions and~~ reports and complete written records of the review and decision-making of the cases at the Colleges, ~~the statements of the reasons for appeal~~, and other relevant materials. The College Conflicts Officer ~~and the College Provost or Provost's Designee may~~shall attend the portions of Committee meetings devoted to ~~the~~ consideration of Financial Conflicts occurring at their College. A Covered Individual may at his or her College, and an Investigator shall be entitled to attend the ~~portion of the~~ Committee meeting devoted to ~~the~~ consideration of his or her ~~Conflict in order to present his or her appeal and may be represented by counsel or a union representative at the meeting. Financial Conflict, but neither the College Conflicts Officer nor the Investigator may be present for any discussion regarding the Committee's determination of whether or not a Financial Conflict exists or the development of a management and oversight plan. A member of the University's Office of the General Counsel and/or a legal representative of the Research Foundation shall attend all meetings of the Committee.~~~~

~~4.4.4. Recusal Procedures - The College Provost seated on the Conflicts Committee shall not participate in the review or decision of any case involving a Conflict of Interest at his or her College if he or she participated in the review or decision for the disposition of such Conflict at the College pursuant to Section 4.3. In such a case, the EVC for Academic Affairs shall designate the College Provost of a different College as a substitute to participate in the Committee's review and decision-making process. In addition, the EVC for Academic Affairs shall designate an appropriately qualified individual to participate in the Committee's review and decision-making process as a substitute for a Committee member in a case where the Committee member has been recused in accordance with the procedures set forth below.~~4.5.4. Recusal Procedures - The Conflicts Committee shall establish written procedures for the recusal of a Committee member from participating in the Committee's consideration of a

particular Financial Conflict of Interest in appropriate circumstances. The Committee shall make these procedures available to interested parties upon request.

~~Any Committee member shall promptly recuse himself or herself from voting on, and shall exit the meeting during consideration of, any specific case in which he or she has an actual bias or the reasonable appearance of bias, or an actual conflicting personal interest or the reasonable appearance of a conflicting personal interest. For the purposes of these recusal procedures, the term "bias" means circumstances under which a Committee member would experience (or would reasonably appear to experience) impaired objectivity with respect to a case, and the term "conflicting personal interest" means circumstances in which the Committee member, or any of his or her Family Members, has a financial interest that would be affected by (or would reasonably appear to be affected by) the disposition of a case.~~

~~Although a recusal decision will ordinarily be made by the Committee member, the Chair (or, in the case of recusal of the Chair, the EVC for Academic Affairs) may require recusal of a member under two circumstances. First, any Committee member may be challenged for bias or conflicting personal interest by a Covered Individual whose case is before the Committee. This challenge shall take the form of a confidential written explanation that the Covered Individual transmits to the Chair (or, if the Chair is challenged, to the EVC for Academic Affairs). If the Chair (or the EVC for Academic Affairs) concurs with the challenge, he or she may require recusal of the Committee member. Second, if the Chair has actual knowledge or a reasonable belief, based on competent information, that a Committee member has an actual bias or that a conflicting personal interest exists (or if the EVC for Academic Affairs has such knowledge or belief regarding the Chair), the Chair (or the EVC for Academic Affairs) may require recusal of the Committee member. In each case, recusal shall not be required without providing the Committee member an opportunity to discuss whether or not recusal is appropriate. If recusal of a Committee member is required for any reason, or if recusal of a challenged Committee member is not required, a confidential written explanation of the decision shall be included in the file for the case.~~

4.4.5.4.5.5. Decisions of the Conflicts Committee - ~~The Committee's decisions regarding the disposition of a Conflict~~Financial Conflicts of Interest shall be made by a majority of the ~~voting members of the Committee,~~ provided that in a case where the EVC of Academic Affairs has designated an individual to participate in the review and decision-making process for a particular Conflict as a substitute for a Committee member recused under Section 4.4.4, that individual shall be considered a voting member in place of the recused Committee member. ~~The Committee~~members of the Committee present at the meeting. ~~The Committee's~~ decisions shall be recorded in written minutes, which shall not include any identifying information about the votes of the Committee members. ~~The Conflicts~~ Committee shall make ~~a decision~~decisions regarding the disposition of ~~a Conflict~~ involving a Significant Financial Interest not later than sixty (60) days after receiving complete and accurate information about the Conflict and the decision made at the College. ~~The~~Financial Conflicts of Interest, including the development and implementation of a management and oversight plan, within thirty (30) days after receiving the written report and complete written record of the review and decision-making process at the College from the College Conflicts Officer ~~shall, at the request of a Covered Individual, give the Covered Individual complete information regarding the status of his or her appeal and shall, in any event, notify the Covered Individual of the decision of the Conflicts Committee as promptly as possible; provided, however, that earlier dates may be required to meet the notice requirements and reporting deadlines established by a research sponsor.~~ All decisions of the Committee shall be final.

4.4.6.4.5.6. Authority of the Conflicts Committee - ~~The Conflicts Committee shall review and make its decisions regarding the disposition of all Conflicts involving a Significant Financial Interest by one or more of the means described in Section 4.3.3.~~ The Committee shall have discretion in reviewing and making decisions regarding the disposition of ~~these~~all Financial Conflicts of Interest and may request and review additional relevant information from ~~Covered Individuals~~Investigators and other sources. The Committee shall annually review the ~~dollar amounts and other aspects of the~~ definition of Significant Financial Interest in Section ~~5.146.16 and shall have authority to revise the definition in order to comply with new requirements of Federal, state, or local laws or regulations~~ and, subject to approval by the University's Board of Trustees, ~~shall have authority to adjust those amounts to account for inflation and other economic factors and to~~ otherwise revise the definition. The Committee shall have authority to interpret this Policy and shall give ~~Covered Individuals~~Investigators and College Conflicts Officers notice of its interpretative statements through periodic advisories as well as access to the written minutes of Committee meetings appropriately redacted to preserve the confidentiality of the individuals involved.

4.5.4.6. Confidentiality of Disclosures. Many of the matters brought to the College Conflicts Officers, ~~College Provosts or Provost's Designees, College Presidents, Institutional Representatives, and members of other officials at the College, the Office of the Vice Chancellor for Research, the Research Foundation, and~~ the Conflicts Committee for review and decision-making will include information of a personal and private nature concerning the financial interests of ~~Covered Individuals~~Investigators, proprietary business information, and other information of a highly confidential nature. Accordingly, except as specifically provided in this Section ~~4.4 or as otherwise required by Federal, state, or local laws or regulations,~~ all College Conflicts Officers, ~~College Provosts, Provost's Designees, College Presidents, Institutional Representatives, Committee members~~other officials at the College, the Office of the Vice Chancellor for Research, the Research Foundation, the Conflicts Committee, and others who participate in Committee meetings as provided herein shall maintain all disclosed information in strict confidence and take necessary precautions and actions to preserve the confidentiality of such information, and the Conflicts Committee shall meet in closed session. Information disclosed under this Section 4 may be disclosed outside the University only ~~if~~as required by the source of funding ~~or support for~~ the applicable research or by applicable ~~law~~Federal, state or local laws or regulations, and only after the University's Office of the General Counsel approves such disclosure and the affected ~~Covered Individual~~Investigator is notified that the information will be released.

4.7 Monitoring of Management and Implementation Plans. Whenever the Conflicts Committee develops and implements a management and oversight plan, the Office of the Vice Chancellor for Research, with the assistance of the College Conflicts Officer, shall monitor the Investigator's compliance with the plan on an ongoing basis until the completion of the research project.

~~4.6-4.8. Reporting and Liaison to Research Sponsors.~~ The ~~Research Foundation's Institutional Representative Office~~ of the Vice Chancellor for Research shall prepare all reports regarding Financial Conflicts of Interest that may be required by research sponsors and shall send copies of those reports to the research sponsors (with copies to the Legal Department of the Research Foundation) in compliance with the notice requirements and reporting deadlines established by the research sponsors. The Office of the Vice Chancellor for Research shall function as liaison to research sponsors regarding ~~the disclosure of Conflicts involving a Significant Financial Interest by Covered Individuals and the disposition of those Conflicts by the College and the University; these~~ Financial Conflicts.

4.9 Knowledge of Policy and Applicable Laws and Regulations. The University requires each Investigator and College Conflicts Officer to be familiar with this Policy on Financial Conflicts of Interest and all applicable Federal, state, and local laws and regulations. The University shall provide and require training of Investigators and College Conflicts Officers in accordance with any such laws and regulations.

~~4.7-4.10. Periodic Review of Policy.~~ Not less frequently than every three years following adoption of this Policy on Financial Conflicts of Interest, the Conflicts Committee shall conduct an evaluation of the provisions set forth in this Section 4 and, if necessary, formulate amendments for consideration by the Chancellor and appropriate, amend this Policy, and any related Conflict of Interest Procedural Documents, in order to comply with new requirements of Federal, state, or local laws or regulations or, subject to the approval of the University's Board of Trustees, for any other reason. The Conflicts Committee shall solicit comments from the University Faculty Senate with respect to any such amendments to this Policy.

5. Miscellaneous.

5.1. Records Retention Requirements. All Covered Individuals shall retain all records regarding Conflicts of Interest in accordance with The City University of New York Records Retention and Disposition Schedule, which is available at http://policy.cuny.edu/pdf_source/rrs.pdf. Specifically with respect to disclosures of Significant Financial Interests related to a sponsored research project and the review of, and response to, such disclosures by Colleges and University officials (whether or not a disclosure resulted in a determination of a Financial Conflict of Interest), and all actions under Section 4 of this Policy, records shall be retained for at least three years from the date the final expenditures report is submitted to the research sponsor.

5.2. Sanctions for Violations of Policy. Any failure to comply with the provisions of this Policy may result in disciplinary sanctions consistent with applicable collective bargaining agreements, up to and including termination of employment. In addition, any failure by an Investigator to comply with the requirement to disclose Significant Financial Interests or with a management and oversight plan regarding a Financial Conflict of Interest may lead to a loss and/or withdrawal of grant funding or support, ineligibility to submit grant applications to research sponsors or to participate in research on behalf of the University, and/or ineligibility to supervise the work of Investigators in research projects.

6. Definitions.

As used in this Policy, the following words shall have the following meanings:

~~5.1-6.1.~~ Chair - The Chairperson of the Conflicts Committee, as described in Section ~~4.4-4.5~~.

~~5.2-6.2.~~ College - An educational unit of the University, including all senior colleges and community colleges, the Graduate School and University Center (including, without limitation, the School of Professional Studies ~~and~~, the Graduate School of Journalism, and the CUNY School of Public Health at Hunter College), and the City University School of Law, and the University's Central Office.

~~5.3-6.3.~~ College Conflicts Officer - The individual at each College designated by the College President to perform the functions described in Section ~~4.3-1-4.4.1~~.

~~5.4-6.4.~~ College President - The President or Dean of each College, as applicable. For purposes of this Policy, the Executive Vice Chancellor for Academic Affairs and University Provost ~~(the "EVC for Academic Affairs")~~ or his or her designee shall be deemed to be the College President of the University's Central Office, except that the Chancellor of the University shall be deemed to be the College President of the University's Central Office with respect to Section 3.3.

~~5.5.~~ ~~College Provost~~ - ~~The Provost or Chief Academic Officer of each College, as applicable. For purposes of this Policy, there will be no College Provost for the University's Central Office, and the College Conflicts Officer for the University's Central Office will exercise the functions described in Sections 4.3.1(e) and (d) independently.~~

~~5.6-6.5.~~ Company - Any corporation, partnership, association, or other legal entity, excluding entities controlled by the United States government, the State of New York, the City of New York, or the University. A Company shall be deemed to include all of its affiliates and other associated entities.

~~5.7-6.6.~~ Conflict of Interest or Conflict - (a) An actual or potential conflict between the personal interests of a Covered Individual and the interests of the University; or (b) the reasonable appearance of such a conflict.

6.7. Conflict of Interest Procedural Document – Any document officially issued by the University to set forth procedures for the implementation of this Policy.

~~5.8-6.8.~~ Conflicts Committee or Committee - The University-wide committee that reviews disclosures by Covered Individuals of Conflicts involving a Investigators of Significant Financial Interests, determines whether or not Financial Conflicts of Interests exist, and develops and implements management and oversight plans with respect to Financial Conflicts of Interest and decisions regarding the disposition of those Conflicts at the Colleges, as described in Section 4.4.4.5.

6.9 Conflicts Committee Administrator – The individual designated by the Chair of the Conflicts Committee to perform various administrative functions for the Committee.

~~5.9-6.10.~~ Covered Individual - Any individual who is, or at any time becomes; (a) an officer of the University; (b) a full-time or part-time employee of the University; (c) a post-doctoral associate at the University; or (d) a student engaged in faculty-directed research at the University other than as part of his or her coursework, whether or not the student is paid for such engagement.

~~5.10-6.11.~~ Family Member - Any person living in the same household as the Covered Individual, and any person related to the Covered Individual within the third degree of consanguinity or affinity. Such related persons include the Covered Individual's spouse and the parents, children, siblings, grandparents, grandchildren, aunts and uncles, nieces and nephews, cousins, great grandparents, and great grandchildren of the Covered Individual and his or her spouse, and the spouses of these relatives as well. (For purposes of this Policy, a "spouse" includes a domestic partner under applicable laws governing domestic partnerships and civil unions.) Please refer to Section 3.5. A Covered Individual should consult the University's Office of the General Counsel at ogc@mail.cuny.edu if he or she has any questions about whether the provisions of Section 3 apply to his or her situation.

6.12 Financial Conflict of Interest or Financial Conflict - A Significant Financial Interest that could directly and significantly affect the design, conduct, reporting, or regulatory review of research at the University.

~~5.11. Institutional Representative – The University's Institutional Representative is the College Conflicts Officer of the University's Central Office. The Research Foundation's Institutional Representative is the individual designated by the President of the Research Foundation to perform the functions of such position, as described in Sections 4.3.2, 4.4.1, and 4.6.~~

6.13 Institutional Responsibilities – An Investigator's professional responsibilities on behalf of the University, performed in the course of and within the scope of the Investigator's appointment or employment by the University, which may include, for example, activities such as research, research consultation, teaching, professional practice, institutional committee memberships, and service on panels such as Institutional Review Boards.

~~5.12. Provost's Designee – A tenured faculty member at a College actively involved in sponsored programs who may be designated by the College Provost to perform the functions described in Sections 4.3.1(c) and (d) with the College Conflicts Officer.~~

6.14 Investigator - The project director or principal investigator and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of a University research project, which may include, for example, collaborators or consultants, whether or not such project director, principal investigator, or other person is employed by the University or the Research Foundation.

~~5.13-6.15.~~ Research Foundation - The Research Foundation of The City University of New York.

~~5.14-6.16.~~ Significant Financial Interest – The Conflict of Interest Procedural Document for research projects funded or supported by a particular sponsor will set forth the definition of Significant Financial Interest applicable to such projects. In the absence of such a definition in an applicable Conflict of Interest Procedural Document, the following definition shall apply:

Anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights).

The term does not include:

- (a) Salary, royalties, or other remuneration from the University;
- (b) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- (c) Income from service on advisory committees or review panels for public or nonprofit entities;
- (d) An equity interest that, when aggregated for the Covered Individual and the Covered Individual's spouse and dependent children, meets both of the following tests: (i) does not exceed \$10,000 in value, as determined through reference to public prices or other reasonable measures of fair market value; and (ii) does not represent more than a five percent (5%) ownership interest in any single entity; or

- (e) Salary, royalties, or other payments that, when aggregated for the Covered Individual and the Covered Individual's spouse and dependent children over the next twelve months, are not expected to exceed \$10,000.

~~5.45-6.17~~ University - The City University of New York.

~~5.46-6.18~~ Vice President for Administration - The Vice President for Administration (or individual with similar responsibilities) of each College, as applicable. For purposes of this Policy, the Executive Vice Chancellor and Chief Operating Officer of the University or his or her designee shall be deemed to be the Vice President for Administration of the University's Central Office.

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

A. MEDGAR EVERS COLLEGE - BEDFORD BUILDING ELEVATOR REPLACEMENT PURCHASE OF CONSTRUCTION BY BID:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a construction contract on behalf of Medgar Evers College to replace three elevators in the Bedford building. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University Regulations. The contract cost shall be chargeable to the City Capital Budget, Project No. ME026-010-MEC, for an amount not to exceed \$1,492,000. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: Medgar Evers College will replace three elevators in the Bedford building. The aged elevators and associated equipment are unreliable and unsafe. A full replacement and modernization is required to provide reliable and safe elevator service to the College building occupants.

B. YORK COLLEGE – ACADEMIC VILLAGE AND CONFERENCE CENTER – AMENDMENT:

RESOLVED: That the Board of Trustees of The City University of New York authorize the General Counsel to amend the resolution adopted at the meeting of November 22, 2010 for a consultant contract with the firm of Ennead Architects for professional design and construction related services as required for the Academic Village and Conference Center Project at York College, CUNY Project No. YC-CUCF-04-09. The amendment is to authorize an increase in the approved amount from \$9,500,000 to \$11,000,000. The total contract cost shall be chargeable to YC-CUCF-04-09.

EXPLANATION: York College obtained funding to design a 160,000 gross square foot building at 94-43 159th Street on the site currently occupied by the Classroom Building. The new building is being designed as a facility for student services, and will also have a conference center (that will be available for use by the community), general instruction spaces, administrative (one-stop registration) functions, lounges, study areas, support spaces, a relocated college bookstore that will also be available to the community and gallery space. CUNY increased the scope to include, among other things, more extensive site work and a high performance curtain wall appropriate to the exterior skin, which requires CUNY to increase the scope of services to be provided by the consultant.

C. THE CITY UNIVERSITY OF NEW YORK - LEASE RENEWAL AND MODIFICATION AGREEMENT AT 16 COURT STREET, BROOKLYN, NEW YORK, ON BEHALF OF CENTRAL ADMINISTRATION:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the Senior Vice Chancellor for Legal Affairs to execute a ten-year lease renewal and modification, for approximately 48,000 rentable square feet of space, at 16 Court Street, Brooklyn, New York, on behalf of the Central Administration. The lease shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The Central Administration has occupied 26,676 square feet office space at 16 Court Street in Brooklyn since 2010 pursuant to a lease that will expire in November of 2012. New York City Technical College also occupies approximately 6,698 square feet of office space at this same location under a DASNY swing space lease

which will expire on May 31, 2013. Under the existing leases the total leased area is 33,374 square feet for a combined annual rental of approximately \$1,011,233 (\$30.30/SF).

The new lease renewal and modification will combine both of these existing leases into one agreement for a new ten year period. Besides extending the occupancy for the existing 33,374 square feet of office space, the new lease will allow the University to add an additional 14,626 square feet for a total of approximately 48,000 square feet of space. The base rent under the new lease will not exceed \$1,632,000 (\$34.00/SF). The University will be responsible for real estate taxes over a new base year, electric costs and an annual operating escalation. The landlord will provide cleaning, HVAC and repairs.

D. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - ROOF REPLACEMENT:

RESOLVED, That the Board of Trustees of The City University of New York authorize the City University Construction Fund to execute a construction contract on behalf of Borough of Manhattan Community College for the installation of new roofs at the main campus building located at 199 Chambers Street. The contract cost shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. The contract cost shall be 50% chargeable to New York City Funds per CP 52343 and 50% chargeable to New York State Capital Construction Funds, Project No. 295910999 for an amount not to exceed \$4,200,000. The contract shall be subject to approval as to form by the University Office of the General Counsel; and be it further

RESOLVED, That City University Construction Fund be and hereby is authorized to enter into a contract with the selected bidder for construction services.

EXPLANATION: The Borough of Manhattan Community College (BMCC) will demolish and replace the existing main roofs covering the seventh floor, the mechanical system penthouse, fourth floor setbacks and theatre of BMCC's main building located at 199 Chamber Street. These new roofs will replace existing roofs that have reached the end of their working lives and are now leaking causing water, mold and mildew damage to the building. This project will be a CUNY managed project, and the contract will be held by the CUCF.

E. THE CITY UNIVERSITY OF NEW YORK - CITY OF NEW YORK PROPERTY AGREEMENT:

RESOLVED, That the Board of Trustees of The City University of New York (the "Board") authorizes the General Counsel to execute all documents in connection with an agreement (the "Agreement") with the City of New York concerning the disposition of four properties, all located in Manhattan, that are owned by the Dormitory Authority of the State of New York on behalf of CUNY : (a) the Brookdale Campus of Hunter College located at First Avenue and 25th Street; (b) the Master of Fine Arts Building site of Hunter College located at 450 West 41st Street; (c) the North Hall Building site of John Jay College located at 445 West 59th Street; and (d) the CUNY headquarters building site located at 535 East 80th Street (collectively, the "Subject Properties"), subject to the 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 Agreement, if necessary, or if desired by CUNY.

EXPLANATION: CUNY and the City have outlined a process to dispose of the Subject Properties. The City will waive any reversionary interest that the City may have claimed in the CUNY headquarters and North Hall. CUNY will be entitled to retain all proceeds from the sale of the CUNY headquarters, which proceeds may be utilized for such purposes as may be determined by CUNY. In connection with the sale of North Hall, CUNY's half share of the proceeds, together with an equivalent amount from the City's capital budget, will be used for the design and construction of the New Community College.

The Brookdale Campus and the MFA Building will be transferred to the City for such purposes and uses as the City may decide. In connection with the Brookdale Campus, the City will transfer an interest in a City-owned property located at 525 East 73rd Street to CUNY and will provide capital funding to CUNY in connection with the relocation of certain of Hunter's operations that are now being conducted at the Brookdale and main college campuses.