

**BOARD OF TRUSTEES  
THE CITY UNIVERSITY OF NEW YORK  
205 EAST 42<sup>ND</sup> STREET  
NEW YORK, NEW YORK 10017**

**REVISED  
CALENDAR**

**JUNE 30, 2014**

**NO. 1. CHANCELLOR'S UNIVERSITY REPORT:** RESOLVED, That the Chancellor's University Report for June 30, 2014 (including Addendum and Errata Items) be approved:

EXPLANATION: The Chancellor's University Report consists of standard resolutions and actions of a non-policy nature which require approval by the Board of Trustees.

**NO. 2. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the regular Board meetings and Executive Session of May 5, 2014, 2014 be approved.

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

**A. LAGUARDIA COMMUNITY COLLEGE - BUILDING MAINTENANCE SERVICES:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a contract on behalf of LaGuardia Community College to purchase building maintenance services. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding by the College pursuant to law and University regulations. Such purchase shall not exceed a total estimated cost of \$3,200,000 for the first year of the five-year term, chargeable to CUNYfirst Code 53104, during fiscal years 2014-15 and 2015-16. The contract shall include the right for the University to terminate the contract in its best interest. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: College will use these services to provide maintenance to its building and grounds.

**B. BARUCH COLLEGE - MPA PROGRAM EXCELLENCE FEE:**

RESOLVED, That The City University of New York adopt an academic excellence fee of \$500 per semester for students in the MPA Program at the Baruch College School of Public Affairs, effective with the Fall 2014 semester.

EXPLANATION: The Baruch College School of Public Affairs (SPA) operates a large and distinguished MPA program that produces each year more graduates than any other MPA program in the United States. It is academically selective, admitting a talented and demanding student body. It is accredited by the Network of Schools of Public Policy, Affairs and Administration (NASPAA), which requires investment in career services and other forms of student support at a level inconsistent with the current resource base. The other two graduate degree programs in SPA already implement an Academic Excellence Fee (AEF). Implementing this fee on MPA students will create consistent fees across all of SPA's graduate programs and thereby improve equity. In addition:

- The AEF will permit greater support for career services.
- The AEF will permit more scholarship and graduate assistantship support.
- AEF revenue will support greater academic capacity overall.
- As with current AEF spending in SPA, the large majority will go to direct student services.

### **C. THE CITY UNIVERSITY OF NEW YORK - SHORT-TERM INVESTMENT POLICY:**

RESOLVED, That the Board of Trustees approve the Short-Term Investment Policy hereto and approve the creation of the Short-Term Investment Pool contemplated therein.

EXPLANATION: This Short-Term Investment Policy was drafted in consultation with the University's Office of General Counsel and the University's investment consultant, Cambridge Associates, and governs the University's short-term investment of available cash, if any, and the proposed Short-Term Investment Pool (STIP). In order to provide the colleges and related entities with a centralized alternative to money market funds and other low-yielding investment vehicles currently being used for non-day-to-day operating cash balances, the University is proposing the creation of the STIP. The STIP will be a pooled investment vehicle with separate maturity tiers (short, intermediate and long), the allocation of which is intended to increase diversification and expected return, while maintaining a stipulated liquidity profile.

The following is a summary of the principle provisions of the Short-Term Investment Policy.

With respect to governance, the Short-Term Investment Policy provides that except for the adoption and amendments thereto, the Board of Trustees delegates to the Vice Chancellor for Budget and Finance the responsibilities for providing broad oversight of the investments of cash in the Short-Term Investment Pool. Those responsibilities will be primarily carried out by the University Controller and his Investment Staff, which shall report at least annually to the Subcommittee on Investments, which shall in turn report at least annually to the Board of Trustees. The Controller has broad authority, within the guidelines set forth in the Short-Term Investment Policy, to make decisions, with the advice of the Investment Consultant(s), in such areas as asset allocation, choice of investment managers and other external agents, rebalancing and reporting of investment results.

The Short-Term Investment Policy stipulates that the investment objectives of the STIP are to provide a return greater than that achievable through investment in common money market funds at a standard deviation that does not exceed 3%. Such objectives will be evaluated over rolling three-year periods. It further stipulates that the liquidity profile of the STIP must be high, with at least 50% of the STIP having daily liquidity and no more than 10% having liquidity beyond a quarter.

#### **CITY UNIVERSITY OF NEW YORK SHORT-TERM INVESTMENT POLICY**

##### **1. Purpose of the Short-Term Investment Policy**

This Short-Term Investment Policy governs The City University of New York's ("CUNY") short-term investment of available cash, if any, and CUNY's Short-Term Investment Pool (the "STIP").

##### **2. Background**

The STIP was created to serve the short- to intermediate-term financial needs of CUNY and its Colleges and related entities, including Alumni Associations and Foundations, that choose to invest in the STIP. The STIP is a pooled investment vehicle for multiple individual accounts that includes non-tax levy funds with a short to intermediate timeframe but excludes dedicated operational cash.

Currently, CUNY and its Colleges and related entities independently invest their short- to intermediate-term funds mainly in various money market and certificate of deposit accounts at low yields without any coordination among them. Given the large aggregate size of these accounts and the scale advantages that are achievable, it is prudent to seek a higher-yielding alternative that offers an acceptable risk/return tradeoff with operational ease and a high level of transparency. It is understood that achieving higher returns requires increasing investment risk and/or reducing liquidity; however by combining multiple accounts and with proper cash flow forecasting, an acceptable balance between good returns, adequate liquidity and acceptable investment risk should be achievable.

It is the aim of the STIP to become the preferred choice for placement of the short- to intermediate-term assets.

This policy adheres to the standards of prudent management of investment assets set forth in the New York Prudent Management of Institutional Funds Act ("NYPMIFA").

### 3. Responsibilities

- A. CUNY's Vice Chancellor for Budget and Finance serves as steward and is responsible for providing broad oversight of the STIP investment program, including developing objectives and strategies for the STIP consistent with the Short-Term Investment Policy and setting an optimal asset allocation. The University Controller and his Investment Staff shall perform all other responsibilities relating to the STIP.
- B. The University Controller and his Investment Staff shall be responsible for the total investment program and will provide prudent oversight of the STIP in order to further the goals and mission of CUNY and the College and related entity participants. The University Controller and his Investment Staff shall be responsible for implementing the Vice Chancellor for Budget and Finance's decisions relating to the STIP; ensuring the STIP is invested according to the Short-Term Investment Policy; administering the STIP; selecting and terminating Investment Managers; determining whether or not to engage external agents such as Investment Consultants and Custodians, and selecting and terminating any such external agents; rebalancing the STIP; presenting investment results; coordinating with any selected Investment Managers, Investment Consultant(s) and Custodian; and ensuring that CUNY's investment and management of STIP assets comply with NYPMIFA.

In addition, the University Controller and his Investment Staff shall report at least annually to the Subcommittee on Investments of the Board of Trustees on investment policy, asset allocation and performance of the STIP as well as other substantive matters. The Subcommittee on Investments shall in turn report at least annually to the Board of Trustees on the same matters relating to the STIP.

The University Controller and his Investment Staff may delegate certain investment responsibilities to external agents such as consultants and investment managers. Such delegation must be conducted in a prudent manner and in good faith and requires at a minimum:

- a) Clear definition of the scope and terms of the delegation and assessment of the reasonableness of the compensation charged by the agent;
  - b) Proper due diligence including assessment of the agents' independence and potential conflicts of interest;
  - c) Subsequent monitoring of the delegated areas including reasonable efforts to verify accuracy of information provided by the agents; and
  - d) Contracts with external agents must specify that (i) they can be terminated without penalty by CUNY upon no more than 60 days' notice and (ii) the external agent owes a duty to CUNY to exercise reasonable care, skill and caution to comply with the scope and terms of the delegation.
- C. The Vice Chancellor for Budget and Finance and the University Controller and his Investment Staff must adhere to New York State ethics provisions under Public Officer Law, Sections 73 and 74.
- D. Each Investment Consultant shall provide assistance to the University Controller and his Investment Staff, as requested, on the development, implementation, and ongoing practice of specific Investment Manager guidelines and practices consistent with the mandate to provide prudent oversight of the STIP. Each Investment Consultant shall also assist the University Controller and his Investment Staff with the selection of Investment Managers and provide periodic investment ideas tailored to CUNY's specific needs as well as provide investment performance measurement and advice concerning risk management strategies, primarily through asset allocation studies and diversification strategies. Each Investment Consultant shall act as a fiduciary of the STIP.
- E. Each Investment Manager shall be responsible for investing as a fiduciary with discretion the assets under its management and in reporting and communicating with the University Controller and his Investment Staff in accordance with the Short-Term Investment Policy and the applicable Investment Manager guidelines.
- F. Each Custodian shall be responsible for all needs relating to the custody and accounting of the STIP assets, including processing all Investment Manager transactions, related additions or withdrawals, and securities lending (if agreed to), and reporting and communicating with University Controller and his Investment Staff, Investment Managers and Investment Consultant(s), in accordance with the Short-Term Investment Policy and with the applicable Investment Manager guidelines.

- G. In carrying out their responsibilities, the Vice Chancellor for Budget and Finance, University Controller and his Investment Staff, and external agents shall comply with the duties of loyalty and care, which require each such person to act in what he or she believes is the best interest of CUNY and in good faith and with the care an ordinarily prudent person in a like position would exercise under similar circumstances.

#### 4. Investment Objectives and Liquidity

The Investment Objective of the STIP is to provide a return greater than the return achievable through investment in common money market funds at a standard deviation that does not exceed 3%.

It is recognized that these objectives may not be achieved over shorter time periods, but should be achievable over longer periods and the objectives shall therefore be evaluated over rolling three-year periods.

The liquidity profile of the STIP must be high with at least 50% of it having daily liquidity and no more than 10% having liquidity beyond a quarter.

#### 5. Additions and Withdrawals

Investments in the STIP are subject in all respects to the Short-Term Investment Policy and the STIP Rules attached hereto as Appendix A (the "Rules") and as updated from time to time by the University Controller. Participants can withdraw funds from the STIP as needed in accordance with the requirements of the Rules.

Among other things, the Rules address reporting to participants, stress the need for proper cash flow forecasting of additions and withdrawals to the STIP, and require Participants to communicate requests for withdrawals in advance to facilitate rebalancing and planning, especially for larger transactions.

#### 6. Asset Allocation and Composition of the STIP

The STIP is a commingled pool consisting of at least three separate Tiers as described below:

- A. Short-Term Tier: The purpose of the Short-Term Tier is to ensure capital preservation and daily liquidity and this Tier will be invested conservatively in fixed income and cash securities with daily liquidity and shorter maturities.
- B. Intermediate-Term Tier: The purpose of the Intermediate-Term Tier is to ensure capital preservation over time but with some excess return potential using predominantly daily liquidity and fixed income investments at short to intermediate maturities.
- C. Long-Term Tier: The purpose of the Long-Term Tier is to provide excess return potential through a variety of investments including both equity and fixed income with varying liquidity terms and at significantly higher levels of risk than normally used in short-term cash pools, with the potential for significant gains as well as the potential for loss of capital. Specific investment guidelines for the Long-Term Tier are contained in CUNY's Investment Policy related to the Long-Term Investment Pool, where this Tier will be co-invested.

The asset allocation among the Tiers shall be the following:

Tier	Target Allocation	Range
Short-Term	20%	15%-25%
Intermediate-Term	70%	60% - 80%
Long-Term	10%	5% - 15%

In establishing the asset allocation and in its implementation, the following factors shall be taken into consideration, if relevant:

- o General economic conditions;
- o The potential impact of inflation/deflation;
- o The expected tax consequences, if any, of investment decisions or strategies;
- o The role of individual investments in context of the overall STIP;
- o The expected total return from income and the appreciation of investments;
- o The overall resources of CUNY and College and related entity participants;
- o The needs of CUNY and College and related entity participants to make distributions and preserve capital; and

- The relationship of any given investment asset to the mission/purpose of CUNY and College and related entity participants.

Also, any investment decision shall always take into account the purposes of CUNY and College and related entity participants and the funds that comprise the STIP. Investment decisions shall, furthermore, not be considered in isolation but on the basis of the total STIP. Also, as specified below, the STIP shall be diversified and implemented in a cost-effective way.

The asset allocation of the STIP shall reflect a proper balance of its investment objectives, risk tolerance and need for liquidity.

## **7. Rebalancing**

The Tiers shall be rebalanced back to their respective targets to ensure that the asset allocation remains an accurate reflection of CUNY's desired risk profile. The following methods shall be used: 1) rebalancing using cash inflows and outflows on a monthly basis, 2) rebalancing semi-annually in October and April and 3) rebalancing back to the target allocations should actual allocations move outside allowable ranges.

## **8. Investment Management**

The Short- and Intermediate-Term Tiers shall be invested with one or more managers with fixed income and cash management expertise. Given the liquidity and capital preservation needs, the assumption is that these Tiers will be invested through separate account vehicles. On an exception basis, limited use of commingled vehicles is permitted if sufficient diversification cannot be achieved otherwise or significant cost savings can be achieved at an acceptable level of risk.

The Long-Term Tier will be co-invested with the CUNY Long-Term Investment Pool and therefore subject to the safeguards, manager diversification, and other requirements of CUNY's Investment Policy related to the Long-Term Investment Pool.

## **9. Performance Monitoring**

With the assistance of the Investment Consultant(s) and the Custodian, the University Controller and his Investment Staff shall regularly review the STIP assets, the status of its investment Tiers, and shall make such adjustments as deemed necessary to achieve stated investment objectives. In addition, the University Controller and his Investment Staff shall receive monthly performance reports primarily for administrative purposes.

- A. The STIP shall be evaluated against (a) the investment objectives set forth in Section 4 above and (b) a custom benchmark consisting of a weighted mix of appropriate benchmarks for each Tier.
- B. The performance of each Tier of the STIP shall be measured against Tier-specific benchmarks, which will enable evaluation of the effectiveness of the implementation strategy used for that Tier. For the Long-Term Tier the benchmark is the CUNY Long-Term Investment Pool benchmark, as it may be updated from time to time.
- C. Performance reporting shall be carried out in a manner and form that enables a clear evaluation of the STIP and Investment Manager performance, both on an absolute and on a risk-adjusted basis, as described above.

## **10. Investment Manager Guidelines**

With the assistance of the Investment Consultant(s), the University Controller and his Investment Staff shall work with the Investment Manager(s) to create specific guidelines for each Investment Manager when it is hired and shall review and recommend changes to those guidelines as necessary.

In the exceptional event that the STIP (Short- and Intermediate-Term Tiers) invests in mutual funds and/or commingled vehicles, the Investment Manager guidelines will be contained in the offering documents. Since, in these cases, CUNY cannot impose any changes, the University Controller and his Investment Staff, assisted by the Investment Consultant(s), shall determine beforehand whether the Investment Manager guidelines contained in the offering document are acceptable and suitable for the given mandate.

Each Investment Manager shall be required to monitor compliance with its specific guidelines quarterly (or more frequently if market conditions warrant) and based on the then-current market values. Each Investment Manager shall be required to promptly communicate in writing to the University Controller and his Investment Staff any

violations of the guidelines stating the nature of the violation, potential remedies, or a petition that a compliance waiver be granted setting forth the reasons therefore. The University Controller and his Investment Staff, assisted by the Investment Consultant(s) shall be responsible for enforcing this requirement.

All such Investment Manager guidelines shall incorporate the following basic principles:

**A. Manager Autonomy**

Decisions as to individual security selection, security size and quality, number of industries and holdings, current income level, turnover, and the other tools employed by active managers, shall be left to broad manager discretion, within the limits of any specific guidelines.

**B. Leverage and Derivatives**

Unless explicitly authorized, the use of leverage or speculative use of derivatives shall be prohibited unless as a means for investment managers to hedge investment risk, to hedge currency risk or replicate investment positions at a lower cost than would otherwise be created in a cash market.

**C. Diversification**

Each Investment Manager shall be required to diversify holdings so that the STIP is not exposed unduly to any single security issuer or sector. The Investment Manager guidelines shall set forth holding limits applicable to that Investment Manager.

**D. Duty to Inform**

Each Investment Manager shall be required to inform the University Controller and his Investment Staff as soon as possible if a deviation from its guidelines is anticipated and seek approval. In addition, each Investment Manager shall be required to inform the University Controller and his Investment Staff as soon as practicable of any significant change in firm ownership; acquisitions of other investment managers; changes to organizational structure; investigations or proceedings commenced by or subpoenas received from the Securities and Exchange Commission or any other regulatory or law enforcement agency; official notice of any disciplinary proceeding or litigation against the manager or any of its employees; departures of key professional personnel; changes of account structure or changes in the manager's fundamental investment philosophy.

Each Investment Manager shall be required to propose revisions to its guidelines at any time the existing guidelines would impede meeting the investment objectives established for the Investment Manager.

**E. Best Execution**

Except under unusual circumstances (in which case the University Controller and his Investment Staff shall be promptly notified), each Investment Manager shall be required to enter into all transactions on the basis of best execution, which means best realized net price. Turnover should be minimized consistent with the effective implementation of the strategy.

**11. Changes to the Short-Term Investment Policy**

The Short-Term Investment Policy shall be in force until modified in writing and approved by the Board of Trustees. The Vice Chancellor for Budget and Finance may propose revisions to the Short-Term Investment Policy to the Board of Trustees at any time.

**CUNY Short-Term Investment Pool ("STIP") Participant Rules**

**1. Purpose**

These Participant Guidelines govern the relationship between CUNY and any Short-Term Investment Pool investing entity ("Participants")

**2. Deposits**

Upon deposit of a Participant's assets in the Account, the assets will be invested pro-rata on a commingled basis in the STIP and the Participant will be assigned a pro-rata share of the STIP's total invested amount. Any Participant, with CUNY's approval, may invest additional assets in the STIP at any time.

Even though the STIP is for non-tax levy funds and, therefore, not subject to spending rules, for each Individual Fund in a Participant's Account, the Participant shall provide CUNY with (i) information regarding the name and purpose of the fund and any restrictions imposed on the fund; (ii) all available underlying documentation for the fund including, but not limited to, any gift instrument associated with the fund and any amendments thereto (iii) a statement of the book and market value of the fund as of the date the fund is delivered to CUNY for investment in the STIP; and (iv) a statement of anticipated cash flows (anticipated contributions and withdrawals) forecasted over the next 3 years. Especially for larger anticipated withdrawals and/or for longer-dated capital project needs, accuracy of the forecast is very important as it guides the rebalancing of tiers and helps avoid a potential liquidity mismatch.

Participants acknowledge that CUNY relies on the information and underlying documentation provided by the Participants and shall not hold CUNY liable for actions taken in reliance of such information to the extent that the information proves inaccurate or incorrect.

### 3. Governance, Objectives and Investment Implementation

The assets that the Participant invests in the STIP will be invested and managed pursuant to CUNY's Investment Policy as it relates to the STIP. The Investment Policy sets out the STIP investment objectives, risks, investment implementation guidelines etc. All Participants shall be given and required to read a copy of the Investment Policy before the first deposit to the Pool. CUNY will inform the Participant of any substantive amendments to the Investment Policy.

### 4. Reporting to Participants and Valuation Methodology

CUNY will provide the Participant with regular performance reports for the STIP that will include a calculation of the Participant's share of the STIP. This information will be available on the STIP's website, which is updated on a monthly basis.

CUNY will maintain records of the individual funds (the "Individual Funds") that comprise the Participant's Account. Such records for each Individual Fund will reflect actual additions to and withdrawals from each such fund, transfers to and from the fund, income earned by the fund, the fund's realized gains and losses and the fund's book and market value.

In determining the value of securities in the STIP, CUNY will rely on the STIP's investment managers and custodian. Readily marketable securities held by the STIP shall be valued using sources of information and pricing methods that are generally accepted by the industry.

A minor portion of the assets in the STIP will be invested in alternative investments (through the long-term tier co-invested in the CUNY long-term pool). Because these alternative investments, and the assets backing them, may not be readily marketable, valuations of these security interests may be subjective in nature. The valuation of these interests may marginally affect the value of the units it is assigned or receives when it elects to participate in or withdraw from the STIP.

### 5. Fee, Expense and Management Cost Sharing

The Participant's pro-rata share of the costs and expenses of managing and administering the STIP will be allocated to the Participant's Account. Such costs and expenses include, but are not limited to, all investment manager fees, related incentive fees; consultant fees; custodial and participant record-keeping fees; administrative fees; fees, such as legal or specialist fees when deemed necessary for compliance purposes; any other STIP-related costs and expenses. Currently, CUNY does not charge a fee for administering the STIP. CUNY will notify the Participant before initiating an administrative fee.

### 6. Withdrawals and Pool Participation Termination

Participants may withdraw funds from its Account by submitting to the CUNY Investment Office properly completed Withdrawal Requisition Forms, signed by two Authorized Representatives. Withdrawal Requisition Forms may be submitted by email, facsimile or overnight courier service to the CUNY Investment Office.

CUNY will endeavor to process withdrawal requests as promptly as is possible while maintaining the integrity of the STIP.

In order to ensure against a liquidity mismatch, advance notice is required for any withdrawal from the STIP as follows:

- For withdrawals less than \$500,000, 2 business days.
- For withdrawal requests of \$500,000 and up to \$1 million, 5 business days
- For withdrawal requests for amounts above \$1 million - 7 business days.

In order to advance the Financial Objectives of the STIP, Participants are encouraged to keep the total number of withdrawal requests per quarter to a minimum. Further, to be efficient and cost-effective, participants are encouraged to consolidate requests so to avoid de minimus withdrawal requests.

CUNY reserves the right to delay withdrawals partially or fully in extraordinary circumstances if such a transfer would have an adverse impact on the Participant itself or other STIP participants, such as during a financial crisis, an investment manager lockdown/gating situation or in the event of concurring extraordinarily large withdrawals from several STIP participants in a given period. At such times, CUNY will act prudently and in the best interests of all participants in the STIP in determining the time period necessary for the transfer of the Participant's funds and will inform the Participant of the circumstances and its decision in a timely manner.

A full termination of STIP participation or one or more withdrawal requests that constitute a withdrawal of all of the Participant's funds in its Account requires 30 days' notice. On the last day of the notice period, CUNY will transfer the funds in the Participant's Account, net of any applicable costs and expenses and net of the holdback described below to the Participant or a third party designated in writing by the Participant to receive such funds. CUNY may waive this and other notice periods at its discretion if it deems that doing so does not adversely impact other STIP participants. CUNY reserves the right to delay termination transfers partially or fully under the extraordinary circumstances described above.

In order to provide for equitable treatment of all participants in the STIP and given that some costs are incurred with a lag, in the case of a complete withdrawal, the STIP will retain 3 percent of the Participant's market value for unanticipated liquidity events—whether or not due to market conditions or inaccurate/ incorrect information provided--as well as costs and expenses under Section 8 of this Agreement, which will be applied to such costs, with any difference between the amount retained and the actual costs incurred by the Participant's account, paid or billed to the Participant within 90 days of the end of the applicable fiscal year. CUNY has the right to waive the holdback at its discretion.

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

**A. THE CITY UNIVERSITY OF NEW YORK - POLICY ON THE REPORTING OF ALLEGED MISCONDUCT:**

RESOLVED, That the Board of Trustees of The City University of New York adopt the Policy on the Reporting of Alleged Misconduct.

EXPLANATION: Recent amendments to the New York State Not-for-Profit Law require education corporations to adopt a policy providing for the reporting of various types of misconduct, and prohibiting retaliation against those who do so. This policy implements that requirement.

**POLICY ON REPORTING OF ALLEGED MISCONDUCT**

The City University of New York is committed to conducting its affairs in compliance with federal, state and local laws and University policy. CUNY encourages all persons to report conduct or suspected conduct that they in good faith believe may violate the law or CUNY policy so that CUNY may investigate and take appropriate action. CUNY will not retaliate against anyone who makes such a report.

***Persons with knowledge of conduct or conditions that pose an imminent threat to the health or safety of any member of the CUNY community or the public should immediately call 911 or Public Safety.***

**1.0 Reporting Suspected Violations of Law or CUNY Policy**

**1.1 Who should report**

The following persons may report conduct or suspected conduct that relates to CUNY and that they in good faith believe may violate federal, state or local law or CUNY policy ("violations"):

- Individuals who are paid by CUNY, including faculty and staff;

- Consultants, vendors and contractors doing business with CUNY;
- Individuals who perform services for CUNY as volunteers or who otherwise assert an association with CUNY; and
- Students.

### **1.2 What Should Be Reported**

The suspected misconduct that should be reported includes, but is not limited to, that which involves or relates to the following:

- Fraud, theft, embezzlement or misuse of CUNY resources
- Conflict of interest or ethics
- Computer fraud or data security
- Child abuse or misconduct involving minors
- Sexual assault, assault and hazing
- Athletics (NCAA or NJCAA)
- Environmental, health and safety violations
- Discrimination and harassment, including age, disability, sex and race
- Research or academic misconduct by faculty or staff
- Retaliation for reporting misconduct under this Policy

### **1.3 How to Report**

Employees are encouraged to use the reporting procedures set forth in CUNY policies dealing with specific issues. Where there is no such procedure, employees may resolve their concerns at the most local level, by reporting suspected violations through standard management channels, beginning with their immediate supervisor. If an employee does not wish to report a suspected violation to an immediate supervisor, employees may go to a higher level of management or file a Report of Alleged Misconduct on a form to be drafted by the Office of the Counsel. That form shall contain instructions on where it should be submitted and shall be posted on the web page of the Office of the General Counsel at <http://www.cuny.edu/about/administration/offices/la.html>.

Non-employees should also file a Report of Alleged Misconduct, following the submission instructions on the form.

### **1.4 Confidentiality**

Reports may be submitted anonymously, although doing so may hinder the investigation and resolution of a complaint. Reports of violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation, to comply with all applicable laws, and to cooperate with law enforcement authorities.

### **1.5 Investigation of Allegations**

Reports will typically be directed to responsible persons for investigation and resolution, consistent with applicable CUNY policies and procedures. Confirmed violations will result in appropriate disciplinary action up to and including termination from employment, following applicable procedures under University Bylaws, policies or collective bargaining agreements, or severance of the relationship with CUNY. In some circumstances, civil and criminal charges and penalties may apply.

## **2.0 Protection from Retaliation**

No one at CUNY shall engage in any retaliatory behavior, including intimidation, harassment, discrimination, or, in the case of an employee, the imposition of an adverse employment consequence, against anyone who files a report under this policy.

Any individual who engages in retaliatory behavior against another individual who has reported a suspected violation or cooperated in the investigation of a violation will be subject to discipline, up to and including termination of employment, following applicable procedures under University Bylaws, policies or collective bargaining agreements, or severance of the relationship with CUNY.

Any employee who believes that s/he or another individual who reported a suspected violation is being retaliated against should complete a Report of Alleged Misconduct or contact the University's Director of Human Resource Investigations.

## **3. Filing a False Report**

Making a false report or providing false information during the course of an investigation may be grounds for discipline in the absence of a good faith belief that the report or information is true.

**4.0 Cooperation**

All employees are expected to cooperate fully in the investigation of any suspected violation.

**5.0 Distribution of Policy**

This policy shall be posted on CUNY websites and distributed to new and current employees, students and volunteers who provide substantial services to CUNY through electronic notifications and other means.

**6.0 Administration of Policy**

The University's General Counsel or his/her designee is responsible for the administration of this policy and for making reports to the Board of Trustees, or a committee thereof, consistent with the Board's Bylaws.

**B. HOSTOS COMMUNITY COLLEGE - AMENDMENTS TO THE CHARTER OF GOVERNANCE:**

RESOLVED, That the proposed amendments to the Charter of Governance of Hostos Community College be adopted, effective July 1, 2014.

EXPLANATION: The amendments to the Charter of Governance ("the Charter") of Hostos Community College ("Hostos" or "the College") primarily synchronize the Charter with CUNY policies, reflect current practices, and increase representation in the College Senate. The changes were approved by the College Senate on March 20, 2014 and are recommended by the College President.

As proposed, the Charter would eliminate the Senate's power to formulate policy recommendations regarding the academic calendar and schedule, since that is decided by CUNY's Central Office. It would directly reference the Open Meetings in sections on notice of meetings, attendance, and the recording of ballots, in order to ensure that the law's requirements are understood.

To increase representation, the Charter would add two adjunct faculty representatives to the Senate, as well as increase the number of non-teaching instructional staff (HEO series employees) on committees from one to two, unless otherwise specified in the description of each committee. It also would remove the requirement that student members of the Senate be "full-time."

Further, the Charter would explicitly require the Senate Chair to have faculty rank or faculty status. It would add a provision that allows for the removal of the entire Senate Executive Committee, including the chair, and specifies that two-thirds of Senate members eligible to vote must sign a petition for such removal. There also are new provisions for amendment of the Charter; a motion to amend could be initiated by the entire Executive Committee or by written petition of at least ten Senators. The Charter would not permit amendment via referendum.

Finally, there are technical changes that would reflect the present names of departments at units at the College, eliminate certain job titles that do not exist at the College, and reformat or re-organize many of the provisions.

Eugenio María de Hostos Community College  
The City University of New York  
Draft Charter of Governance  
As approved by the Hostos College Senate on 3/20/14

**ARTICLE I: FUNCTIONS OF THE COLLEGE SENATE****SECTION 1**

The College Senate will, in consultation with the administration and other groups in the College, recommend policy on all College matters, except for those within the domain of the President or any other Officer of the College or The City University of New York, as set forth in the By-laws of the Board of Trustees. The Senate shall be specifically responsible for the formulation of academic policy and for consultative and advisory functions related to the programs, standards, and goals of the College.

The College Senate shall:

- A. Undertake any course of action within its authority, to help achieve the mission of the College within the College community and The City University.
- B. Serve in an advisory capacity and have representation on all committees established by the President, the Vice Presidents, and/or the Deans to further the mission of the College, especially Search Committees established by the College.
- C. Have the power to formulate new policy recommendations and to review already existing ones in areas including but not limited to the following:
  1. Awarding of degrees, honors and credits
  2. Degree requirements
  3. Development of curricula
  4. Development of new academic and student services programs (including interdisciplinary and exchange programs) and review of existing ones, as well as developing, reviewing, and implementing policies related to disabled students
  5. Grading practices and standards
  6. College Library
  7. College admission procedures and requirements
  8. Evaluation of faculty
  9. Affirmative Action/504 compliance
  10. Budget and Finance
  11. Grants
  12. Facilities
  13. Creating any standing, ad hoc, and special committees as it deems necessary
  14. Proposing amendments to, and revisions of, the By-laws of the Board of Trustees
  15. Recommending any other actions that the Senate may deem appropriate
- D. Perform others function including but not limited to participation in the search committees for Vice Presidents and all Deans.

## SECTION 2 ATTENDANCE

- A. Every member of the Senate undertakes the responsibility of attending Senate sessions. Members, who are absent more than three times per academic year without a reasonable explanation sent in writing to the Chairperson of the College Senate, will be removed from office and another representative shall be elected in their place.
- B. All Senate and Senate committee meetings shall be conducted according to the latest edition of Robert's Rules of Order Newly Revised to the extent the same does not conflict with the Open Meetings Law.

## ARTICLE II: MEMBERSHIP IN THE COLLEGE SENATE

### SECTION 1 SENATE MEMBERSHIP

- A. The Senate membership shall consist of representatives from the full-time faculty, non-teaching instructional staff, students, classified staff (Gittlesons, campus peace officers, and maintenance), and the President, Vice Presidents, and Deans of the College.
- B. In addition, there shall be ex-officio and non-voting members as specified herein.

### SECTION 2 FACULTY MEMBERSHIP

- A. Senate members representing faculty must hold the rank of Professor, Associate Professor, Assistant Professor, Lecturer, or Instructor.
- B. College departments shall be represented by one representative for each academic unit (where such units exist), who shall be nominated and elected by members of their units.
- C. Departments without units (which for the purpose of representation on the Senate will include Counseling) shall be represented in proportion to their faculty members: one representative per every ten (10) faculty members or fraction thereof, who shall be elected by the members of their department.
- D. There shall be faculty members At-large elected by general ballot according to the following ratio: one faculty member/alternate per every twenty (20) faculty members or fraction thereof. These shall be elected by the faculty in attendance at the Stated Meeting of the Faculty and Staff at the beginning of the academic year. Absent the scheduling of such meeting by the Office of the President by September 1<sup>st</sup>, the Executive Committee shall schedule said meeting during the month of September for the sole purpose of conducting this election.
- E. Full-time faculty who are College representatives to the UFS are automatically members of the College Senate. They shall be elected according to the same procedures and criteria that apply to all other Senators.
- F. The PSC Chapter Chairperson shall automatically be a member with full senatorial rights.

## SECTION 3 NON-TEACHING INSTRUCTIONAL STAFF MEMBERSHIP

- A. To be a member of the Senate representing the non-teaching instructional staff, a person must be in one of the following non-teaching instructional titles: College Laboratory Technician (CLT) or Higher Education Officer (HEO).
- B. Each category mentioned above shall be represented in proportion to its membership: one representative per every fifteen (15) members or fraction thereof.

## SECTION 4 CLASSIFIED STAFF

- A. Gittlesons (civil service staff) shall have one (1) representative to the College Senate.
- B. All other classified staff shall have one (1) representative to the College Senate.

## SECTION 5 STUDENT REPRESENTATIVES

- A. Student representation will constitute one (1) student for every four (4), or major fraction thereof, of the non-student voting members of the Senate. Student representatives will be elected as provided by the Student Government Organization Constitution. Additional representatives shall be elected according to procedures for the election of officers stipulated in the Student Government Organization Constitution.
- B. Every student representative to the Senate must be certified by the Registrar's Office as being a Hostos Community College student in good academic standing.
- C. Student representatives shall serve for a period of one year.

## SECTION 6 EX-OFFICIO

Ex-Officio membership without a vote shall be:

- A. The College Administration including:
  - 1. The President or designee, and
  - 2. The Vice Presidents, Deans, or designees;
- B. The Chair of the HEO Organization; and
- C. A Parliamentarian designated by the Executive Committee of the Senate, who is not a member of the Senate, but who will attend its meetings and rule on questions of procedure.

## SECTION 7 ADJUNCT FACULTY MEMBERSHIP

- A. To be a member of the Senate representing the adjunct faculty, a person must be an adjunct faculty member in either the Liberal Arts or the Career programs.
- B. These individuals should be elected by general ballot according to the following criteria: one (1) representative from the Liberal Arts program and one (1) representative from the Career programs. This membership should be for one (1) semester.

## SECTION 8 ELECTION PROCEDURES AND TERMS OF OFFICE

- A. All elected faculty and staff members shall serve for a period of three years.
- B. Student representatives shall serve for a period of one year.
- C. The Elections Committee shall carry out all the necessary elections for the Senate.
- D. All election results shall be determined by a majority of those voting. If necessary, additional balloting will be conducted with the name(s) of candidate(s) having the fewest votes eliminated to the point of having twice as many candidates as positions until the vacant positions are filled. Notification of the election results must be promulgated no later than one week after the close of elections.
- E. The Chair and the Senate Executive Committee (together and none individually) may be removed from office by means of a petition signed by two-thirds of the members eligible to vote. Said petition is to be presented in a sealed envelope during a regularly scheduled meeting of the Senate to the Vice Chair or Secretary of the Executive Committee and turned over unread to the Senate Elections Committee meeting in emergency session and must be recorded in the official records of the Senate. Furthermore, it is to be verified by said committee at said meeting, and the committee is to provide for elections at the next regularly scheduled meeting of the (now) suspended Senate.

## SECTION 9 TIME TABLE

- A. All elections shall be conducted during the second week of classes following the Spring Recess of the third year of the current Senate.
- B. On the last meeting of the Spring semester, the Senate shall hold annual elections to nominate a pool of faculty representatives to serve on the Hostos Association, Auxiliary Services, and Discipline committees. These names will be forwarded to the President, who will appoint members to the committees/bodies from the list.

## SECTION 10 ELECTIONS OF OFFICERS AND THE COMMITTEE ON COMMITTEES

- A. The Senate Chairperson shall have faculty rank or faculty status.

- B. The Senate Chairperson and all members of both the Executive Committee and the Committee on Committees shall be nominated and elected by simple majority at the first meeting of the newly elected Senate to be called by the outgoing chairperson.

#### SECTION 11 THE EXECUTIVE COMMITTEE

- A. Membership:
1. The Executive Committee shall be composed of nine voting Senators: six (6) faculty, two (2) students, and one (1) member of the non-teaching instructional staff (HEOs or CLTs).
  2. The Chairperson of the Senate will be the Chair of the Executive Committee and one of its nine members.
  3. The Committee will elect a Vice Chairperson, a Recording Secretary, and a Corresponding Secretary from among its members. The term of the Recording Secretary shall be one year.
  4. Non-student members shall serve for three (3) years. Student members shall serve for one (1) year.
- B. Functions of the Executive Committee:
1. To serve as liaison between the President of the College and the Senate.
  2. To transact such business as may be necessary between meetings of the Senate.
  3. To exercise any further powers and duties that may be conferred upon it by the Senate.
  4. To develop any procedures needed to implement any charge given to it and to review existing procedures when needed.
  5. To create ad hoc committees after consultation with the Senate.
  6. To meet at least once a month during the academic year and expedite Senate business.
  7. To schedule regular and special Senate meetings, to determine what is appropriate Senate business, and to prepare agendas for such meetings.
- C. Functions of the Officers:
1. Duties of the Chairperson shall include but not be limited to the following:
    - (a) To conduct elections for the membership of the Executive Committee and Committee on Committees.
    - (b) To preside at all meetings of the Senate and the Executive Committee.
    - (c) To initiate election procedures to fill all vacancies of the Senate.
    - (d) To make pro-temp appointments in the event of any Officer's absence.
    - (e) To represent the Senate at all academic and official functions.
    - (f) After consultation with the Executive Committee, to appoint senators to represent the Senate in non-Senate Committees.
  2. The Vice Chair shall serve as Acting Chairperson in the absence of the Chairperson.
  3. Duties of the Recording Secretary shall include:
    - (a) The taking of minutes of Senate and Executive Committee meetings and submitting them to the Chairperson and the Committee on Committees.
    - (b) Taking attendance at Executive Committee and Senate meetings.
    - (c) Maintaining records of all Senate Executive Committee proceedings.
    - (d) Sending copies of all Senate Proceedings to the College Library.
  4. Duties of the Corresponding Secretary shall include the distribution of minutes and agendas to appropriate committees or individuals.

### ARTICLE III: SENATE MEETINGS

#### SECTION 1 REGULAR MEETINGS

- A. The Senate shall hold regular meetings once a month during the academic year on the third Thursday of the month.
- B. The notice of each monthly meeting shall include the agenda, together with a written statement regarding any policy matter to be presented at the meeting. Such documents shall be distributed to each senator during the week prior to the meeting. Announcements of all Senate meetings shall be sent to the College-wide community and to the general public by press release one week prior to the meeting.

#### SECTION 2 PROCEDURES

- A. The order of business at all meetings shall conform to the newest edition of Robert's Rules of Order Newly Revised.
- B. The Chairperson, in consultation with the Parliamentarian, shall decide on all questions of quorum and parliamentary procedure, unless it is otherwise stipulated in this Charter.
- C. The hour of adjournment shall be specified on the agenda and adhered to and no binding resolutions, motions or general discussions shall be considered beyond that hour without the approval of 2/3 of the voting members present.
- D. All votes shall be by secret ballot except for routine matters by unanimous consent. The ballots shall be recorded and available to the public upon request.

- E. All senate meetings shall be open. Upon recognition by the Chair, all who attend the Senate meeting shall have the right to speak.

### SECTION 3 MINUTES OF SENATE MEETINGS

The Recording Secretary will take and maintain minutes, which shall include attendance. A copy of the minutes of each meeting of the Senate shall be distributed to each of the members of the Senate at the same time that the notice of agenda of the meeting is distributed.

### SECTION 4 SPECIAL MEETINGS

- A. These meetings may be called by the Executive Committee of the Senate or by any ten (10) Senators upon presentation to the Chairperson of a written and signed request for the meeting.
- B. Agendas for special meetings shall be distributed with the notice of such meetings.

## ARTICLE IV: COLLEGE STRUCTURE

### SECTION 1 DEPARTMENTS/DISCIPLINES

- A. The structure of Hostos Community College shall be composed of divisions, each headed by a Vice President. At present, the College consists of the divisions of:
1. Academic Affairs,
  2. Administration and Finance,
  3. Continuing Education and Workforce Development,
  4. Institutional Advancement, and
  5. Student Development and Enrollment Management.
- When altering the function of these divisions, the President of the College shall first consult with the Senate.
- B. The Division of Academic Affairs shall be comprised of Departments, Units, and Programs of Study.
- C. Within the context of the academic structure, a Department is an administrative entity composed of a single discipline or related disciplines or Programs of Study grouped together to represent the shared interests of the represented Units. A Department may or may not have Units.
- D. An Academic Unit is an administrative entity within an Academic Department; the Unit is responsible for instruction in a particular program, discipline, or related disciplines.
- E. A Program of Study is an organized body of courses that lead to a Certificate or degree or another defined academic goal.

### SECTION 2 RESPONSIBILITIES OF THE SENATE

- A. The Senate shall have the power to review proposals for, and recommend, the creation of new Academic Units and/or programs of study, the elimination of existing Academic Units or programs of study, and the transfer of Academic Units and/or Programs of Study from one Department to another.
- B. The process to be followed for the implementation of such a proposal will be:
1. Presentation of proposal to the Department(s) that houses (and/or will house) the Academic Unit or Program, followed by a Departmental vote.
  2. Presentation of the proposal for review to the appropriate Vice Presidents(s).
  3. Presentation of the proposal to the Senate.
  4. Senate vote and recommendation to the President of the College.
  5. Approval by the President.
  6. Transmission of the proposal by the President's Office to the Board of Trustees, and the Board's approval.
  7. When a transfer of an Academic Unit or Program of Study or faculty is from one Department to another, both Departments must approve the transfer.

## ARTICLE V: COLLEGE-WIDE PERSONNEL AND BUDGET COMMITTEE

### SECTION 1 MEMBERSHIP OF PERSONNEL AND BUDGET COMMITTEE

The College-Wide Committee on Personnel and Budget shall be composed of the following members:

- A. The President of the College;
- B. The Provost and Vice President for Academic Affairs;
- C. All Department Chairpersons;
- D. Four At-Large faculty members elected from and by qualified faculty. No At-Large representative shall be from the same unit as the Departmental Chairperson; and
- E. The Vice President for Student Development and Enrollment Management.

### SECTION 2 CHAIRPERSON

- A. The President of the College shall serve as Chairperson of the College-Wide P & B; in his/her absence, the Vice President for Academic Affairs shall serve as Chair.

- B. The Labor Designee and a senior member of the administration designated by the President of the College shall sit with the College-Wide P & B at the invitation of the President.

### SECTION 3 EXCEPTIONS |

- A. Teaching Faculty members holding or released to serve in an administrative position within the College and not teaching at least one course of their regular load are not eligible to serve as At-Large representatives.
- B. Vice Presidents, Deans, and senior administrators cannot serve as At-Large representatives to the P & B.

### SECTION 4 ELECTION OF AT-LARGE FACULTY

The selection and election of the four At-Large faculty representatives to the College-Wide P & B shall proceed as follows:

- A. Each academic Department and the Division of Student Development and Enrollment Management shall nominate one candidate.
- B. Such nomination shall occur at the time of Departmental elections.
- C. All nominees must be tenured and hold professorial rank.
- D. The names of all nominees will be submitted to the Elections Committee of the Senate, which will conduct the election with the assistance of the Division of Academic Affairs.
- E. All faculty members with professorial ranks; lecturers (full-time) and instructors who have been reappointed on an annual salary basis for a third or later year of continuous full-time service; and tenured CLT's shall be eligible to vote in College-Wide At-large Faculty P & B elections.
- F. All eligible voting members shall elect the four representatives by simple majority of valid votes cast.
- G. In the event no candidates obtain a simple majority, a run-off election will be held. The two candidates with the fewest votes will be dropped.
- H. These procedures shall be repeated until all four (4) At-Large candidates are elected.
- I. There shall only be one (1) At-Large representative from any given Department at any time.

## ARTICLE VI: ACADEMIC DEPARTMENTAL STRUCTURE

### SECTION 1 DEPARTMENT AND UNITS

The following shall constitute the College's Departments and Units (disciplines or programs) within Departments:

- A. Allied Health Sciences Department
  - 1. Dental Hygiene Unit
  - 2. Radiologic Technology Unit
  - 3. Nursing Unit
- B. Behavioral and Social Sciences Department
  - 1. Behavioral Sciences Unit
  - 2. Social Sciences Unit
  - 3. Public Administration Unit |
- C. Business Department
  - 1. Business Management/Accounting Unit
  - 2. Office Technology Unit
- D. English Department
- E. Education Department
  - 1. Early Childhood Education Unit
  - 2. Gerontology Unit
  - 3. Physical Education Unit
  - 4. Health Unit
- F. Humanities Department
  - 1. Black Studies Unit
  - 2. Latin American and Caribbean Studies Unit
  - 3. Modern Languages Unit
  - 4. Visual and Performing Arts Unit
- G. Language and Cognition Department
- H. Library Department
- I. Mathematics Department
- J. Natural Sciences Department
  - 1. Biology Unit
  - 2. Physical Sciences Unit

## SECTION 2 DEPARTMENTAL CHAIRPERSONS

- A. Each Department shall have a Chairperson (who may also serve as Unit Coordinator). In accordance with the By-laws, the Chairperson of the Library Department will be appointed by the President of the College.
- B. All Chairpersons, except the Chairperson of the Library Department, shall be elected by secret ballot for a term of three years by a majority vote of all eligible voting members of the instructional staff in the Department.
- C. In Departments other than the Library, all professorial ranks with tenure shall be eligible to run for Departmental Chairperson. Exceptions may be made only when a Chairperson without tenure is recruited from outside the College.
- D. Voting shall take place during the first full week in May. There shall be discussion prior to the vote.
- E. All professorial ranks (professors, associate professors, and assistant professors); lecturers (full-time) and instructors who have been reappointed on an annual salary basis for a third or later year of continuous full service; and tenured CLT's are eligible to vote in Departmental elections.
- F. The duties of a Chairperson shall follow CUNY By-Laws definition, except as amended by this governance plan.
- G. Duties of Department Chairperson  
The Department Chairperson shall be the executive officer of his/her Department and shall carry out the Department's policies as well as those of the faculty and the board that are related to it. He/she shall:
  - 1. Be responsible for Departmental records and preside at meetings of the Department.
  - 2. Assign courses to and arrange programs of instructional staff members of the Department. (The execution of this duty may be delegated to the Unit Coordinators.)
  - 3. Initiate Departmental policy and actions concerning the recruitment of faculty and other Departmental affairs subject to the powers delegated by these by-laws to the staff of the Department in regard to educational policy, and to the appropriate Departmental committees in the matter of promotions.
  - 4. Represent the Department before the faculty and the Board.
  - 5. Serve as chair of the Department's Committee on Personnel and Budget.
  - 6. After receiving the tentative unit budgets, prepare the tentative Departmental budget, subject to the approval by the Department's Committee on Personnel and Budget. Transmit the tentative Departmental budget to the Vice President for Academic Affairs with his/her own recommendations.
  - 7. Arrange for careful observation and guidance of the department's instructional staff members. This duty may be delegated by the Department Chairperson to the Unit Coordinator or to a tenured professorial member in accordance with the collective bargaining agreement.
  - 8. Make a full report to the President and to the College-Wide Personnel and Budget Committee of the action taken by the Department Committee on Personnel and Budget when recommending an appointee for tenure.
  - 9. Hold an annual evaluation conference with every member of the department, other than full professors, after observation and prepare a memorandum thereof. This duty may be assigned to a qualified member of the Departmental Committee on Personnel and Budget in accordance with the collective bargaining agreement. Tenured full professors may be evaluated.
  - 10. Generally supervise and administer the department. The Chairperson may delegate some specific duties to the Unit Coordinators.
  - 11. Hold Departmental meetings at least once a month.
  - 12. Promote collegial relations and intradepartmental collaboration.
  - 13. Represent all units within the Department and act as liaison for the Department and its units to other departments and units.
- H. Acting Chairpersons
  - 1. In case of a temporary vacancy, the Department will nominate candidates from a list of eligible faculty members coming from the Departmental P & B.
  - 2. The name of the Departmental candidate for Acting Chairperson, voted on by the Department, shall be submitted to the President.
  - 3. If the President should reject the candidate, the process will be repeated until a suitable candidate is selected.

## SECTION 3 UNIT COORDINATORS

- A. Each Unit shall have a Coordinator who shall be elected by that Unit for a three-year term.
- B. The election of Unit Coordinators shall take place following that of the Department Chairperson during the first full week of May.
- C. All professorial ranks, tenured and untenured, and lecturers with Certificates of Continuous Employment shall be eligible to run for Unit Coordinators. The Department Chairperson may also be elected as a Coordinator. There can only be one (1) Coordinator who is untenured in any given department. Tenured CLT's can vote in this election.
- D. Duties of Unit Coordinators
  - 1. Unit Coordinators shall serve as the primary administrators for matters pertaining to their respective units.
  - 2. Supervise the Unit's curriculum.

3. Assign courses to and arrange programs of instructional staff members of the Unit as delegated by the Department Chairperson.
4. Arrange for careful observation and guidance of the Unit instructional staff members in consultation with the Department Chairperson.
5. Prepare the tentative Unit budget.
6. Be responsible for the Unit's records.
7. Disseminate information to and from staff members within the Unit.
8. Initiate action concerning the recruitment of Unit faculty as assigned by the Department Chairperson.
9. Represent the Unit in the Departmental P & B Committee.
10. Coordinate program accreditation (where applicable).

#### SECTION 4 DEPARTMENTAL PERSONNEL AND BUDGET COMMITTEE

- A. All constituted Departments shall have a Departmental Personnel and Budget Committee (P & B) to review matters in their purview.
- B. The membership of Departmental P & B shall consist of:
  1. The Chairperson;
  2. Unit Coordinators, where applicable;
  3. In Departments with fewer than five (5) Units, where possible, there shall be five (5) members, except where the total full and part-time faculty exceeds fifty (50), in which case there shall be seven (7) members. At-Large faculty members shall be elected as needed in order to reach the required membership; only one of these may be untenured, which person may be a lecturer with a certificate of continuous employment;
  4. In Departments with five (5) or more Units, the total membership of the P & B shall be to the nearest odd number, with the remaining positions to be elected At-Large. An untenured faculty member, who may be a lecturer with a certificate of continuous employment, can only be elected to this position if all coordinators are tenured; and
  5. In Departments with two or more Units, no more than 60% of the membership of the Departmental P & B should come from one Unit.
- C. Tenured CLT's within a Department are eligible to vote in Departmental P & B elections but cannot be candidates.
- D. All At-Large members of the Departmental P & B shall be elected at the same time as all other Departmental elections are held, for a term of office of (3) years.
- E. The functions of the Departmental Personnel and Budget Committee shall include but not be limited to:
  1. Recommendations of all actions concerning initial appointments, reappointments, tenure, CCE, and promotions (except full professor).
  2. Interviewing of all prospective faculty and instructional staff candidates for employment.
  3. Approval of all actions concerning travel money allocations, Departmental budget, the Departmental plan for the year, and budget allocations to units within the department.
- F. New units will get automatic representation in Departmental P & B Committees as soon as they have been formally approved by all appropriate governance structures.

### ARTICLE VII: SENATE COMMITTEES

#### SECTION 1 STANDING COMMITTEES OF THE SENATE

The standing Committees of the Senate shall include but not be limited to the following:

- A. The Committee on Committees
- B. Academic Standards Committee
- C. Admission and Retention Committee
- D. Affirmative Action Committee
- E. Budget and Finance Committee
- F. Committee on Disability Issues
- G. Curriculum Committee
- H. Elections Committee
- I. Executive Committee
- J. Facilities
- K. Grants Committee
- L. Institutional Research Committee
- M. Instructional Evaluations Committee
- N. Library Committee
- O. Scholarship and Awards Committee

## SECTION 2 RULES CONCERNING SENATE STANDING COMMITTEES

- A. All Senate committees shall record and maintain minutes of their meetings and submit copies of them to the Executive Committee and the Committee on Committees.
- B. All Senate standing committees shall follow the Charter as to their functions.
- C. All Senate standing committees shall prepare annual summaries of their activities to be submitted to the Executive Committee no later than the last scheduled meeting of the Senate each academic year.
- D. All Senate committees shall elect their own officers, with the understanding that ex-officio members shall not be eligible to run for office of any standing, ad hoc, or special committee.
- E. Unless otherwise stipulated in the Charter or sanctioned by the Senate, each of the standing committees shall consist of not less than six (6) and not more than twelve (12) members.
- F. Unless otherwise stipulated, on each standing committee there will be two (2) student members and two (2) members representing the non-teaching instructional staff. Student members will serve for a term of one (1) year.

## SECTION 3 ATTENDANCE AT STANDING COMMITTEES MEETINGS

Any member who is absent from three (3) meetings without written notification shall be asked to resign and will be replaced by the Committee on Committees.

## SECTION 4 THE COMMITTEE ON COMMITTEES

- A. Membership:
  - 1. The Committee on Committees shall be composed of nine (9) Senate members, including two (2) student members and one (1) member from the non-teaching instructional staff, elected by the members of the Senate.
  - 2. Student members will be elected every year at the first meeting of the Senate. Other members will be elected at the first meeting of each newly formed Senate.
- B. Function:
  - 1. To assign members from different College constituencies to the specific Senate standing committees before the second meeting of the Senate for the academic year.
  - 2. To determine the number of members to be assigned to each committee, unless otherwise specified in the Charter of Governance.
  - 3. To advise all Senate Committees in the development of internal operating procedures and to submit these procedures to the Senate for approval.
  - 4. To consider and resolve issues relating to membership status and replacement of any committee member.
  - 5. To disseminate information about opportunities for service on all standing and ad-hoc committees.
  - 6. To maintain current lists of membership in all Senate Committees.
  - 7. To maintain a file of the minutes of all Standing Committee meetings.

## SECTION 5 ACADEMIC STANDARDS COMMITTEE

- A. Membership:
 

The membership of the Academic Standards Committee will be assigned by the Committee on Committees
- B. Function:
 

It is the charge of the Academic Standards Committee to preserve and maintain the academic policy and procedures of the College. The Academic Standards Committee shall:

  - 1. Recommend to the Senate policy regarding academic probation, attendance, graduation, honors, grading, and other issues related to academic standards.
  - 2. Hold hearings on student appeals regarding academic dismissal. Appeals of dismissal shall be processed by the Office of the Dean of Students in collaboration with the Chairperson of the Academic Standards Committee. Specific procedures are outlined in detail in the Hostos Community College Catalog.

## SECTION 6 ADMISSIONS AND RETENTION COMMITTEE

- A. Membership:
 

Membership shall be determined by the Committee on Committees to include regular faculty and the following:

  - 1. Director of Admissions and Recruitment
  - 2. Office of the Registrar
  - 3. Vice President for Student Development and Enrollment Management
  - 4. One Counselor
  - 5. One Student representative
  - 6. Two HEOs
- B. Function:
  - 1. (a) To review and recommend to the Senate College-wide policies regarding admission and retention.
  - (b) To review and recommend to the Senate policies regarding the matriculation of non-degree students.

- (c) To review and recommend to the Senate College-wide policies on the acceptance of external course work towards a Hostos Community College Associate's Degree.
2. In consultation with all appropriate parties, to hear and act upon those student appeals that result from the policies set forth in the above areas.
  3. To maintain liaison with University personnel responsible for developing or changing admission, matriculation, and transfer credit criteria on a University-wide basis, and to report any proposals for such changes to the Senate.
  4. To maintain liaison with College and University personnel responsible for developing special programs that might affect admission and external course work policies.
  5. To make recommendations to the Hostos Senate on ways to increase the recruitment of students and maximize the retention of students.

#### SECTION 7 AFFIRMATIVE ACTION COMMITTEE

- A. Membership:
  1. Membership shall be determined by the Committee on Committees.
  2. The Affirmative Action Officer shall serve as an ex-officio member.
- B. Function:
  1. To advise and assist the College Affirmative Action Officer in the implementation of affirmative action regulations and policies at the College, including hiring, tenure and termination of employment.
  2. To meet regularly with the President in matters concerning the progress of affirmative action.

#### SECTION 8 BUDGET AND FINANCE COMMITTEE

- A. Membership:
 

Membership will be chosen by the Committee on Committees.
- B. Function:
 

To research, inform, and make recommendations to the Senate and the College community on financial and budgetary matters.

#### SECTION 9 COMMITTEE ON DISABILITY ISSUES

- A. Membership:
  1. Membership shall be determined by the Committee on Committees.
  2. The Coordinator of Services for Students with Disabilities shall serve as an ex-officio member.
- B. Function:
  1. To review existing college policies and procedures related to disability and to recommend to appropriate college offices and governance entities changes in such policies and procedures for the purposes of:
    - (a) achieving institutional compliance with federal, state, and local laws regarding non-discrimination on the basis of disability; and
    - (b) recommending ways of eliminating all barriers that might hinder or even prevent the fullest functioning of individuals who are students and/or employees of the College.
  2. To collaborate in the development and provision of educational activities regarding disability issues of importance to the College community.

#### SECTION 10 CURRICULUM COMMITTEE

- A. Membership:
  1. The membership of the Curriculum Committee shall be composed of one tenured or CCE representative from each academic Department of the College, one (1) 13.3B HEO, and two (2) elected Student Senate representatives duly certified by the Vice President for Student Development and Enrollment Management
  2. The representatives shall be elected by each Department from its Curriculum Committee and by the Division of Student Development and Enrollment Management, and their names submitted to the Committee on Committees for final approval.
  3. The Vice President for Academic Affairs or his/her designee and the Registrar shall serve as ex-officio members.
- B. Function:
 

The Curriculum Committee shall have the following duties:

  1. To evaluate and recommend new courses in accordance with Board of Trustees guidelines.
  2. To evaluate and recommend any modifications of current courses in the curriculum, including credits, hours, titles, course descriptions, language of instruction, prerequisites, co-requisites, etc.
  3. To review and recommend approval of degree requirements and distribution requirements for existing departments.
  4. To review and recommend approval of all Letters of Intent and final proposals for all degree and certificate programs.
  5. To review Letters of Warning and apprise the Senate.

6. To recommend to the College Senate the creation of subcommittees as the need arises, to cover such areas as skills across the curriculum, program review, etc.
  7. To present to the College Senate, for its approval, any items voted upon and recommended by the committee.
- C. Charges of the College-Wide Curriculum Committee:
1. To establish and maintain the standards and integrity of the College curricula.
  2. To review existing curricula periodically and recommend changes where appropriate.
  3. To encourage the development of new courses, concentrations, and programs consistent with the mission of the College by providing a College-wide forum for consideration of all new courses and program proposals.
  4. To review all curriculum proposals for their conformity to the College mission and objectives of the Department.
  5. To review and approve the final draft of the curricular offerings in the College Catalog.
  6. To preserve the institutional history of the Committee by yearly submitting the minutes, records, and reports to the College Archives housed in the Library.
  7. To make recommendations regarding all curriculum proposals, and to transmit all such recommendations to the Executive Committee of the College Senate and the College Senate at large.

#### SECTION 11 ELECTIONS COMMITTEE

- A. Membership:  
Membership will be chosen by the Committee on Committees.
- B. Function:
1. To develop and recommend procedures for elections pertaining to the Senate that are otherwise not described in this Charter.
  2. To implement those election procedures approved by the Senate.

#### SECTION 12 EXECUTIVE COMMITTEE

(For membership and functions, see Article II, Section 11.)

#### SECTION 13 FACILITIES COMMITTEE

- A. Membership:
1. Membership to be determined by Committee on Committees.
  2. The Director of Campus Facilities serves as an ex-officio member of this committee.
- B. Function:
1. To assess and consult on whether existing College facilities are being utilized to optimal capacity.
  2. To forecast future College needs in regard to facilities.
  3. To recommend policy regarding utilization and allocation of existing space.
  4. To make recommendations regarding acquisition of new space.
  5. To investigate complaints regarding the improper use of facilities.
  6. To report to the Senate on its findings.

#### SECTION 14 GRANTS COMMITTEE

- A. Membership:
1. Membership to be determined by Committee on Committees.
  2. The Grants Officer shall serve as an ex-officio member of this committee.
- B. Function:
1. To review grant proposals at their initial stages.
  2. To recommend that grants be initiated in specific areas.
  3. To inform the Senate as to the purpose and nature of all grants awarded to the College.
  4. To provide a forum for discussion, the appropriate Vice Presidents shall report twice a year both to the Committee and at the full Senate on the status of existing grants.

#### SECTION 15 INSTITUTIONAL RESEARCH COMMITTEE

- A. Membership:
1. Membership to be determined by the Committee on Committees.
  2. The committee will include an equal number of faculty members from Liberal Arts and Career Programs and one (1) faculty member from the Division of Student Development and Enrollment Management.
  3. A representative from the Office of Institutional Research will be an ex-officio member.
- B. Function:
1. The committee will facilitate research bearing on College educational programs and retention. To that end, it will assist research conducted in the College in compliance with the provisions of the Committee on Human Subjects, request data on behalf of research projects, recommend that studies be undertaken,

submit all recommendations for research to the full Senate for approval, and disseminate results to the College community.

2. The committee will collaborate with and serve as a resource for other committees.
3. The committee will regularly report its findings to the Senate.

#### SECTION 16 INSTRUCTIONAL EVALUATIONS COMMITTEE

##### A. Membership:

Membership to be determined by the Committee on Committees.

##### B. Function:

1. To develop procedures and instruments for the classroom observation of faculty members by peers.
2. To develop procedures and instruments for the student evaluation of faculty.
3. To review the student evaluation process and the tabulation of results, and make recommendations thereon.
4. To report to the Senate on the procedures and instruments.

#### SECTION 17 LIBRARY COMMITTEE

##### A. Membership:

1. Every academic Department shall select one of its members to serve on this committee. That member will then function as the liaison between his or her Department and the Library. One of the members must be a member of the Library faculty.
2. The Chief Librarian shall serve as an ex-officio member of this committee.

##### B. Function:

1. To evaluate current Library holdings and media services as they relate to the current and future needs of each Department, Unit, and Program.
2. To make recommendations.
3. To report to the Senate on the recommendations.

#### SECTION 18 SCHOLARSHIPS AND AWARDS COMMITTEE

##### A. Membership:

Membership to be determined by the Committee on Committees.

##### B. Function:

1. To serve as an in-house resource to individuals or groups.
2. To develop standard criteria for selection of candidates and recipients of scholarships and awards.
3. To determine the recipients of Hostos scholarships and prizes in accordance with established criteria.
4. To locate and obtain additional resources for scholarships and awards.

#### SECTION 19 AD HOC COMMITTEES

The Executive Committee of the Senate shall create ad hoc committees as the need arises, and shall delineate their functions and membership.

### **ARTICLE VIII: REVISION AND AMENDMENT PROCEDURES**

Any modification of this Charter as presently accepted shall be made according to the following procedures:

#### SECTION 1

Motions to amend this Charter may be proposed by the Executive Committee or by the written petition of no fewer than ten (10) senators.

#### SECTION 2

Such motions to amend must be discussed at two (2) consecutive meetings of the Senate before being brought to a vote.

#### SECTION 3

Such motions must be approved by two-thirds (2/3) of the total membership of the Senate.

#### SECTION 4

Approved amendments shall be submitted to the President for approval and recommendation to the Board of Trustees.

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

<b>COLLEGE</b>	<b>NAME</b>	<b>DEPARTMENT</b>	<b>EFFECTIVE</b>
The Graduate Center Queens College	Cathy Davidson	English	September 1, 2014
	Anthony Tamburri	European Languages and Literatures	September 1, 2014
Brooklyn College	Jeanne Theoharis	Political Science	September 1, 2014
The Graduate Center	David Waldstreicher	History	September 1, 2014
The City College of New York	Eric Weitz	History	September 1, 2014

**D. THE CITY UNIVERSITY OF NEW YORK - AMENDMENTS TO THE BOARD OF TRUSTEES STATEMENT OF POLICY ON MULTIPLE POSITIONS:**

RESOLVED, That the Board of Trustees of The City University of New York approve the amendments to the attached Statement of Policy on Multiple Positions.

EXPLANATION: The Board of Trustees' Statement of Policy on Multiple Positions ("the Policy") sets forth the University's policy on the holding of multiple positions by full-time faculty members, both within and outside the University. Section 2.d of the Policy is being revised to permit the President of a College or a Vice Chancellor, as appropriate, to authorize payment to a faculty member from tax-levy funds to perform research during his/her first three summers of employment at The City University of New York. This payment is subject to the same cumulative limit of three-ninths of the faculty member's salary during the summer for all CUNY-related activities.

This revision will help the University be competitive in attracting and retaining faculty members who are productive researchers.

**STATEMENT OF POLICY ON MULTIPLE POSITIONS**

**1. PREAMBLE**

Each full-time faculty member is obligated to view his/her appointment to a college or university faculty position within The City University as his/her major professional commitment. This commitment obligates the faculty member in two ways: he/she is at once a member of the national and international world of learning and a member of The City University community. Though his/her first responsibility to The City University is that of teaching, he/she recognizes the important and essential obligation to be regularly accessible for conferences with his/her students, to participate in appropriate extracurricular undertakings, and to serve on various college and university committees and as a member of college and university councils and other assemblies.

The City University of New York is a major research university. A full-time faculty member is expected to create new knowledge in his/her discipline through scholarly research, writing, and creative works. He/she constantly makes all efforts to improve his/her professional standing through study and thought, and also through activities such as research, publication, attendance at professional conferences, and the giving of papers and lectures. Such professional involvements also enhance his/her abilities as a teacher and as a member of The City University community; such professional involvements support the value of his/her activities on campus and equip him/her to participate in significant educational innovations as well as furthering his/her professional stature.

**2. MULTIPLE POSITIONS**

a. OUTSIDE THE CITY UNIVERSITY

Full-time appointment to a college or university faculty position is a full-time assignment. Faculty members have a responsibility to observe professional standards of behavior in becoming involved in activities supplemental thereto. No employment, consultative, or other work outside The City University may be engaged in by a faculty member unless he/she receives prior approval from the P & B of his/her department after full disclosure of his/her total academic commitment, the proposed outside employment, consultative, or other work, and other outside work theretofore

approved. The P & B committee shall not approve any outside employment, consultative, or other work unless such employment or work relates to the professional interests, strengthens the professional competence, or enriches the professional performance, and does not interfere with the professional standing of the faculty member. No employment, consultative or other work, remunerative or otherwise, shall be approved by the P & B Committee or engaged in if the services of the faculty member to his/her college or the university or his/her ability to meet his/her commitments to his/her college or the University (including teaching, research, and service obligations) will be impaired thereby. If the departmental P & B approves such employment or work, the amount of time that the faculty member may expend thereon shall be determined by the departmental chairperson after consultation with the faculty member, and subject to the review of the college president. In no event shall the total amount of time to be expended on such outside employment or work be or be approved for more than an average of one day a week, or its equivalent over the course of the academic year.

In connection with any outside employment, consulting arrangement or other work, each faculty member shall abide by, make known to the other party and incorporate in any written agreement, the following principles:

- i. The faculty member is serving in an individual capacity, and not as an agent, employee or representative of The City University and that the name of The City University or any of its constituent units may not be used in connection with the faculty member's services, other than to identify his/her employer, without the written permission of The City University.
- ii. The faculty member's primary employment responsibility is to The City University, and he/she is bound by its policies, including those related to consulting and other outside work.
- iii. In rendering services to the outside party, the faculty member may not make substantial use of The City University's resources, including but not limited to its facilities, equipment, employees, proprietary information, or clinical data bases, without written permission of The City University.
- iv. No relationship or agreement between the faculty member and another party may grant rights to intellectual property owned by The City University and/or the Research Foundation without their written authorization.
- v. The outside party may not (i) restrict or hinder the ability of the faculty member to conduct current or foreseeable research assignments as an employee of The City University, (ii) limit his/her ability to publish work generated at or on behalf of The City University or (iii) infringe on his/her academic freedom as a faculty member.

b. WITHIN THE CITY UNIVERSITY – TEACHING

- 1) Where the best interests of the college or the university make it desirable or necessary to draw upon full-time personnel in one unit or branch for service in another, requests for such service should originate with the principal academic or administrative officer of the requesting unit and have the approval of the principal academic or administrative officer of the other unit. It is the policy of the university and its colleges to achieve exchanges of services, wherever possible, by budgetary interchange or by the balancing of interchanged services, with no additional academic load or extra remuneration for the individuals concerned. Variations from this norm will be allowed only with the special permission of the Chancellor, or the appropriate President.
- 2) Within the framework noted in section 1, full-time non-tenure-track and tenured faculty will be eligible for consideration for an overload assignment when such assignment is determined to be in the best interest of the college and to serve a specific academic need. Permission to take on an overload teaching assignment will only be granted up to a maximum of eight classroom contact hours total over the fall and spring semesters.
- 3) In addition to the overload assignment permitted in paragraph 2, a full-time non-tenure-track or tenured faculty member will be eligible for consideration for additional overload assignments of no more than a total of six classroom contact hours during the academic year in courses offered during the Winter Session, in courses offered exclusively on Saturdays or Sundays, or in courses offered as part of on-line degree programs.
- 4) Overload teaching by full-time, non-tenured, tenure-track faculty is not permitted, but if a faculty member is not currently using the contractually-mandated research reassigned time, exceptions can be made on an individual basis with the special permission of the Chancellor, or the appropriate President.

c. WITHIN THE CITY UNIVERSITY – RESEARCH, CONSULTING, EMPLOYMENT

The City University regards scholarly activity and research as part of the normal activity and responsibility of the faculty. In fact such activities are part of the basis on which faculty members are evaluated, reappointed, or promoted. The

public looks to the University as a source of new information, reinterpretations, and advancing intellectual activities. Also, the University is looked upon as a community of scholars. This carries the implication of joint scholarly effort and mutual support and availability amongst faculty and students. The faculty is given full-time annual paid employment to cover all the activities of teaching, research, consulting, curriculum development, counseling, committee work, etc.

When special funding in support of research is available, it is presumed to make possible, or easier, the scholarly activity that faculty and students wish to or are willing to pursue. Accordingly, it is the policy of the Board of Trustees that there may not be paid any extra compensation to full-time members of the faculty for work done during the academic work year. This limitation applies to research, consulting, or any other employment with The City University or any of its associated organizations, regardless of the source of funds. For the particular case of extra teaching, the policy is expressed in Section 2b above.

Under the special circumstances of an urgently needed short-term administrative and/or service assignment, a President or Vice Chancellor in the Central Office may authorize specific extra compensation for a faculty member whose services are required as an overload. This authorization must define both time and money limitations, and must state that it was not possible to relieve the faculty member of other duties to an equivalent extent. Such non-teaching overload assignments will be limited to 150 hours per semester at the nonteaching hourly rate, or a total of 300 hours for the entire academic year. Further adjustments may be authorized by the Chancellor or the Chancellor's designee.

#### d. WITHIN THE CITY UNIVERSITY – SUMMER ACTIVITIES

Compensation for CUNY summer activities from the University and related entities, such as the Research Foundation and the college foundations, shall not exceed a total for all such activities of three-ninths of the faculty members' full-time CUNY salary. This includes, but is not limited to, teaching in a summer session in The City University of New York, performing administrative duties (such as service as a department chairperson), and conducting research paid for using funds originating from the CUNY Research Foundation. **During the first three summers of a faculty member's employment at The City University, the President of a College or a Vice Chancellor, as appropriate, may authorize payment to a faculty member to conduct his/her research during the summer from tax-levy funds, subject to the same total three-ninths limitation for all summer activities noted above.**

Notwithstanding the limitation in the preceding paragraph, a college foundation may pay faculty for research or additional work during the summer, in an amount that will cause the faculty member's total compensation from the University and related entities to exceed three-ninths of his/her annual salary, under the following conditions: (i) such payment is consistent with the rules and regulations applicable to the college foundation; (ii) the circumstances surrounding such payment have been rigorously documented and justified; and (iii) such payment has been approved by the Chancellor or the appropriate President.

The faculty member shall report to the college at which he/she has a full-time appointment all such summer activities in advance of participating in them to ensure that they do not exceed contractual rules or University practices.

### **3. RESTRICTIONS ON MULTIPLE POSITIONS FOR FACULTY ON LEAVES FROM THE CITY UNIVERSITY OF NEW YORK**

When faculty members are granted leaves of absences, they are expected to devote their time and energy to the purposes for which the leave is granted. As a general rule, employment within or outside of the University during leaves of absence is prohibited, unless such involvement is integral to the purpose for which the leave is granted. Employment either within or outside of the University during a leave of absence requires the approval of the President, pursuant to guidelines to be promulgated by the Chancellor. Notwithstanding the forgoing, faculty on Travia Leave may be employed outside of the University with prior notice to the President, but only if they have given an irrevocable commitment to retire.

For the purposes of this policy, Fellowship Leaves and Scholar Incentive Awards will cover periods within the boundaries of the academic year, and do not include the period of the annual summer leave.

### **4. MULTIPLE EXTRA INVOLVEMENT**

From the beginning of the fall semester until the day after spring commencement, the total extra involvement shall not exceed 300 hours of extra consultation or non-teaching adjunct work (see section 2.c), or 14 classroom contact hours of extra teaching (that is, the combined extra teaching permitted under Paragraphs 2.b.2 and 2.b.3), or a proportional combination of these two types of activities.

## 5. MECHANISMS OF PAY

During the academic year, all work done for CUNY must conform to the rates of pay indicated in the collective bargaining agreement.

During the summer, faculty are paid at the hourly rate to do teaching or non-teaching CUNY work in conformity with the collective bargaining agreement. Further, the pay given to faculty during the summer for service as a department chair must conform to the contractual formula negotiated for that purpose. In addition, during the summer faculty paid with funds originating from the CUNY Research Foundation must be paid at the CUNY rates of pay.

## 6. ANNUAL REPORT

At the regular June meeting, the Chancellor shall report to the Board the steps taken by the Presidents to implement these regulations and the extent of compliance with the limitations set. The reports shall contain details from the Presidents about all excesses over any of the guidelines herein stated, including the names of all persons involved and the specific reasons for the excesses. The University will continue to monitor overload assignments. Overload assignments shall be reported to the Board of Trustees as part of the annual report.

### **E. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - NAMING OF THE DERFNER FOUNDATION COMMUNICATIONS CENTER:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the "Derfner Foundation Communications Center," located in Room S635 on the sixth floor of 199 Chambers Street, at Borough of Manhattan Community College.

EXPLANATION: In December 2013, Mr. Jay Lieberman, a trustee of the Derfner Foundation, effectuated a gift from the Derfner Foundation to the BMCC Foundation in the amount of \$250,000. The purpose of the gift is to create of a state-of-the-art Communications Center (the "Center") at BMCC. The new Center will offer the latest communications software, and provide individual and group activities to enable students to refine their speaking and presentation skills so they will be better able to compete for professional positions, internships and other opportunities. Students from every department of BMCC will be able to use the Center. The concept for the Center was initiated by BMCC communication studies professor Lee Ritchey, together with Hollis Glaser, Chair of the Speech, Communications and Theatre Arts department at BMCC.

In recognition of the generosity of the Derfner Foundation, the College requests that the Board of Trustees approve the naming of the "Derfner Foundation Communications Center."

### **F. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - NAMING OF THE LEILA AND SIMON PESKOFF NURSING SKILLS LABORATORY:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the "Leila and Simon Peskoff Nursing Skills Laboratory," located in Room S747 on the seventh floor of 199 Chambers Street at Borough of Manhattan Community College.

EXPLANATION: Fred Peskoff is a longstanding and well-regarded Professor and former Chair of BMCC's Mathematics Department who is very dedicated to the College and its students. Professor Peskoff previously established an endowed scholarship fund named in memory of his late parents, Leila and Simon Peskoff, to which he contributes additional monies annually. More recently he wished to further honor his parents by naming a physical facility for them on the BMCC campus. This spring Professor Peskoff pledged \$50,000 to the BMCC Foundation over a ten-year period to name the Leila and Simon Peskoff Nursing Skills Laboratory. This is in addition to his planned gift, presently valued at \$1 million, naming BMCC as the sole beneficiary of his TIAA-CREF annuity accounts. The funds from both the new pledge and, eventually,

from the annuity accounts, will be added to the Leila and Simon Peskoff Endowment Scholarship Fund, which provides scholarships and graduation awards to outstanding BMCC students majoring in Mathematics or Nursing.

In recognition of Professor Peskoff's service and his generosity, the College requests that the Board of Trustees approve the naming of the "Leila and Simon Peskoff Nursing Skills Laboratory."

**NO. 5. COMMITTEE ON ACADEMIC POLICY, PROGRAMS AND RESEARCH:** RESOLVED, That the following items be approved:

**A. JOHN JAY COLLEGE - BA IN LATIN AMERICAN AND LATINA/O STUDIES:**

RESOLVED, That the program in Latin American and Latina/o Studies leading to the Bachelor of Arts at John Jay College be approved, subject to financial ability, effective July 1, 2014.

EXPLANATION: The addition of this BA program is yet another facet of John Jay College's continuous efforts to advance its strategic agenda of becoming a traditional liberal arts with programs focusing on justice. The program follows a recent national trend of combining Latin American and Latina/o Studies into one academic program. The proposed curriculum includes coursework in the history, culture, society and politics of Latin American societies and U.S. Latina/o communities in addition to coursework in Spanish language acquisition and research methods. Students will be prepared for entry level careers with government agencies and international organizations. The curriculum provides students with excellent preparation for graduate work in areas such as law, journalism, and social work.

**B. JOHN JAY COLLEGE – BS IN CELLULAR AND MOLECULAR BIOLOGY:**

RESOLVED, That the program in Cellular and Molecular Biology leading to the Bachelor of Science at John Jay College be approved, subject to financial ability, effective July 1, 2014; and be it further

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

EXPLANATION: The addition of this BS program in Cellular and Molecular Biology will allow John Jay College to provide their students with the undergraduate academic preparation for graduate work in medical school, biomedical research and public health. The Department of Sciences currently has sufficient academic talent to launch this program with a minimal additional investment. Both the national and local STEM employment outlooks are excellent, and the college looks forward to assisting its students in launching successful careers in those areas. Because this is John Jay's first degree program in the biological sciences, the college's master plan will need to be amended by the New York State Board of Regents to allow for this degree authority.

**C. BARUCH COLLEGE - MA IN ARTS ADMINISTRATION:**

RESOLVED, That the program in Arts Administration leading to the Master of Arts at Baruch College be approved, subject to financial ability, effective July 1, 2014.

EXPLANATION: Baruch College is capitalizing on the resources of its three schools, the Weissman School of Arts and Sciences, the Zicklin School of Business, and the School of Public Affairs, to provide professional education to individuals interested in careers in both the for-profit and non-profit arts and cultural organizations locally, nationally and internationally. More than one letter of support for the program from professionals in the industry cite the need for more professional managers trained in the business aspects of running cultural organizations. The program requires a professional internship for most students in the program, allowing them to integrate classroom theory into real world practice and to make useful professional contacts.

#### **D. CUNY SCHOOL OF JOURNALISM - MA IN SOCIAL JOURNALISM:**

RESOLVED, That the program in Social Journalism leading to the Master of Arts at the CUNY School of Journalism of the Graduate School and University Center, be approved, subject to financial ability, effective July 1, 2014.

EXPLANATION: Over the past decade, the field of journalism has begun to see a shift in the profession's relationship with the public, moving away from solely being a provider of content to also being a facilitator of opinion shaping and public discourse on various news topics. While the program will teach the fundamentals of reporting, it will also include coursework in community engagement and using social media tools. The development of this program has sparked great interest. The CUNY School of Journalism has already raised \$400,000 from multiple sources to support the development and fully expects to raise more money to support scholarships and other program expenses.

#### **E. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - AS IN SCHOOL HEALTH EDUCATION:**

RESOLVED, That the program in School Health Education, leading to the Associates of Science at Borough of Manhattan Community College be approved, subject to financial ability, effective July 1, 2014.

EXPLANATION: There is a need both in our public school system and our government agencies for individuals educated in issues surrounding heart disease, obesity, diabetes, substance abuse and reproduction and this program provides that education as well as a foundation in liberal arts disciplines. Graduates of this program will be qualified for entry level employment as well as transfer to senior college programs both inside and outside of CUNY.

#### **F. HUNTER COLLEGE – BA IN HUMAN BIOLOGY:**

RESOLVED, That the program in Human Biology leading to the Bachelor of Arts at Hunter College be approved, subject to financial ability, effective July 1, 2014.

EXPLANATION: This program explores human beings through a lens that integrates the biological and social sciences, as reflected in the required and elective coursework in the program. The Human Biology major will prepare students for careers in nutrition, environmental management, health education, health care administration, forensics, and research.

#### **G. THE CITY UNIVERSITY OF NEW YORK - CHANGE IN THE UNIVERSITY ACADEMIC POLICY ON MILITARY SERVICE:**

RESOLVED, That the academic policy regarding military service be approved, effective July 1, 2014.

EXPLANATION: In order to facilitate active duty military members' ability to begin and continue their post-secondary education at CUNY by taking advantage of current educational technology and military training courses, and to ease the transition for veterans returning from active duty wishing to enroll at CUNY, the policies below have been proposed for adoption by the CUNY Board of Trustees and implemented at the colleges and schools immediately.

##### **THE CITY UNIVERSITY OF NEW YORK ACADEMIC POLICY ON MILITARY SERVICE (Proposed)**

#### **1. Definitions**

- 1.1 **Veteran**- those who were in active military service (which includes basic training) and were released under a condition other than "dishonorable."

- 1.2 **Military Personnel-** persons currently serving in the armed forces of the United States, whether on active duty or reserve or in the National Guard.

## 2. Admission, Readmission, and Enrollment

- 2.1 Veterans with a high school diploma or GED shall be accepted at one of the colleges of CUNY, subject to space availability.
- 2.2 Veterans with no previous CUNY college experience shall be permitted to file applications for admission at any time prior to the date that registration is scheduled to begin, irrespective of University's deadlines for filing such applications.
- 2.3 Veterans whose high school averages qualify them for admission may be enrolled as non-matriculated students if they fail to meet admissions application deadlines and space is not available for them as matriculated students. Those veterans shall be enrolled as matriculated students the next semester and shall receive academic credit for courses they completed as non-matriculated students.
- 2.4 When veterans' applications lack supporting data at the time of scheduled registration, those veterans, subject to space availability, shall be admitted pending receipt of such supporting data, provided, however, that they have presented evidence of a high school diploma or GED.
- 2.4.1 Upon receipt of the supporting documentation to complete their applications, veterans shall be placed in full matriculation if they meet the admission requirements of the college or if they meet the college's academic standards for continued matriculation at the end of the aforementioned semester.
- 2.4.2 Veterans admitted under section 2.4 shall forfeit their matriculated status if they fail to provide the documentation required by the college to complete the admissions application or if they fail to meet the college's academic standards for continued matriculation.
- 2.5 Admitted veterans who return from active duty at any time during the term will be given the opportunity to audit courses without credit.
- 2.6 Admitted veterans who return from active duty after the completion of their colleges' registration period shall be permitted to enroll without late registration fee.
- 2.7 Admitted veterans who are former CUNY students who had been academically dismissed from a college of CUNY shall be granted readmission to that college but placed on probationary status.
- 2.8 Veterans applying to graduate degree programs or applying for graduate non-matriculated status should apply directly to the college that they wish to attend.

## 3. Academic Credit for Students Called to Active Duty

- 3.1 A student who is called to active duty in the armed forces of the United States or National Guard should be given every consideration around either making up the work for the course, obtaining an Incomplete, or being given the grade that he or she has earned at the time that he or she is called to duty.
- 3.2 At each college, the appropriated committee or other designated authority shall be empowered to grant the remaining number of credits required for graduation to a member of the graduating class who lacks twelve or fewer credits in elective courses to complete the requirements for the degree for those called to active duty in the armed forces of the United States. Credits should be applied from the service members JST (Joint Service Transcript) as MILT elective credit
- 3.3 Colleges shall encourage students who enter military service to maintain their status as students by availing themselves of such opportunities as may be offered to them (by the colleges, by other accredited colleges, and/or by service agencies) to continue their studies while in military service.

## 4. Academic Credit For Military Training and Experience

- 4.1 CUNY shall adopt the American Council on Education (ACE) guidelines in evaluating transfer credit for military courses and experience. College credit may be awarded up to maximum of forty-five credits (at

senior colleges) and thirty credits (at Community Colleges) in specific subject matter area or general electives for the satisfactory completion of Military Service, Experience and Military Training Courses.

- 4.2 The Director of Transfer Courses and Information in CUNY Central shall review military transcripts based on ACE guidelines and issue recommendations for course equivalences to individual colleges.
- 4.3 Individual colleges shall make their own decisions about awarding transfer credits and will submit explanations when they disagree with recommendations issued by CUNY Central.
- 4.4 Credit for Defense Activity for Non-Traditional Education Support ("DANTES"), Subject Standardized Tests ("DSST") and College Level Examination Program ("CLEP") examinations shall be evaluated by CUNY college academic departments that award CLEP credits. Credit for satisfactory completion of tests and/or examinations shall be awarded where applicable toward the degree the veteran is pursuing.
- 4.5 The following military records shall be used by college academic departments to verify successful completion of military service, experience and military training courses:
  - Army/American Council on Education Registry Transcript System ("AARTS").
  - Sailor/Marine American Council on Education Registry Transcript ("SMART").
  - Community College for the Air Force ("CCAF") transcript.
  - Coast Guard Institute Military Education Transcript.
  - DD Form 295, Application for the Evaluation of Learning Experiences During Military Service. Military Education offices can provide this form to active-duty and reservists. This form must be certified by an authorized commissioned officer or his/her designee.
  - DD Form 214, Certificate of Release or Discharge for Active Duty.
- 4.6 The Office of the University Registrar should maintain a central repository of college decisions on credit awards, and make that repository available to student applicants.
- 4.7 Credits for military training accepted at one CUNY college shall be accepted by other CUNY colleges without exception for veterans who transfer within CUNY.

## **5. Application Fee Waiver for Veterans**

- 5.1 Veterans shall be eligible for an application fee waiver for both undergraduate and graduate programs at CUNY. The instructions for undergraduates requesting this waiver shall be posted on the CUNY website. In order to receive their application fee waiver, veterans applying to graduate programs should contact the Graduate Admissions Office of the college(s) to which they are applying.
- 5.2 Veterans shall also be exempt from paying a commitment deposit for both undergraduate and graduate programs at CUNY. Upon acceptance of veterans for admission, colleges shall provide veterans with information concerning this exemption.

## **6. Fees for Military Personnel Stationed in New York State and their families**

- 6.1 For the purpose of calculating tuition and fee charges, military personnel stationed in New York State, their spouses, partners in a civil union, or registered domestic partners, and their dependent children, shall be considered residents of New York State.

## **H. YORK COLLEGE - ESTABLISHMENT OF THE DEPARTMENT OF NURSING:**

RESOLVED, That, the Department of Nursing at York College be established in the School of Health Sciences and Professional Programs, effective August 27, 2014.

EXPLANATION: Pursuant to academic and institutional planning, and in consultation with the faculty involved, York College proposes to establish the Department of Nursing, and appoint into the new Department of Nursing, the Nursing faculty members currently appointed in the Department of Health Professions. As York College moves determinedly to strengthen a number of key academic areas, among them the health profession disciplines, this reorganization will leverage the strong foundations and maximize capacity to meet market needs. Establishment of this new Department of Nursing will provide the means for efficient maintenance of curriculum and accreditation standards, faculty development, and

the development of new Nursing programming in response to the health industry needs. This action was taken pursuant to the normal procedures for realignment and renaming of departments, including consultation with the faculty involved and presentation to the York College Senate on March 25, 2014.

A separate resolution has been submitted to the Board of Trustees, through the June 2014 Chancellor's University Report, regarding transfer of Nursing faculty members from the existing Department of Health Professions to the new Department of Nursing, effective August 27, 2014.

**I. YORK COLLEGE - RENAMING OF THE SCHOOL OF HEALTH AND BEHAVIORAL SCIENCES TO THE SCHOOL OF HEALTH SCIENCES AND PROFESSIONAL PROGRAMS:**

RESOLVED, That the School of Health and Behavioral Sciences at York College be renamed to the School of Health Sciences and Professional Programs, effective August 28, 2014.

EXPLANATION: Pursuant to academic and institutional planning, and in consultation with the School's Departments and the faculty involved, York College proposes to change the name of York College's School of Health and Behavioral Sciences to better reflect the composition that includes Health Sciences, Teacher Education, and Social Work professional preparation. This action was taken pursuant to the normal procedures for realignment and renaming of departments, including consultation with the faculty involved and presentation to the York College Senate on March 25, 2014.

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

**A. LEHMAN COLLEGE - NURSING EDUCATION, RESEARCH, AND PRACTICE CENTER:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the City University Construction Fund to execute a consultant contract to an Architect for a professional design contract for an amount not to exceed \$3,000,000, and a consultant contract to a Construction Manager for pre-construction services for an amount not to exceed \$350,000 for the Lehman College Nursing Education, Research, and Practice Center. The design and the construction management contracts shall be awarded to the firm ranked highest during an interview process of firms expressing interest to the Request for Qualifications (RFQ) developed by the CUNY Central Office of Design, Construction and Management. The contracts shall be chargeable to New York State Capital Construction Funds, Project No. 2873609999, for an amount not to exceed \$3,350,000 million. The contracts shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The construction of the Lehman College Nursing Education, Research, and Practice Center will accommodate the Department of Nursing which has experienced growth far exceeding projections and allow for the demolition of the temporary T-3 building permitting expansion of Science Hall, as per the Lehman College Master Plan.

**B. QUEENS COLLEGE – CONSTRUCTION CONTRACT TO BUILD NEW ROOF OVER THE LOWER AND UPPER PORTIONS OF THE SOUTH WING IN REMSEN HALL:**

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 Queens College to build a new roof over the lower and upper portions of the south wing in Remsen Hall. The contract cost shall be chargeable to New York State Capital Construction Funds, Project No. 3113809999, for an amount not to exceed \$1,857,864. The contract shall be subject to approval as to form by the University Office of the General Counsel; and be further

RESOLVED, That City University Construction Fund be and hereby is authorized to enter into a contract to build a new roof over the lower and upper portions of the south wing in Remsen Hall.

**EXPLANATION:** The existing roof is leaking in numerous places, in poor shape, and out of warranty. This project will remove the existing roofing and insulation, then install new roofing, insulation, perimeter flashings, and pitch pockets for the roof penetrations over the lower and upper portions of the south wing in Remsen Hall. The new roofing system will have a 20 year warranty.

**Note:**

No previous Board approval was required for the design consultant since the contract amount for the consultant was under \$500,000.

**C. QUEENS COLLEGE - RECONSTRUCTION OF STEAM LINE SYSTEM:**

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 the Queens College to reconstruct the steam line system. The contract cost shall be chargeable to New York State Capital Construction Funds, Project No. 2881309999, for an amount not to exceed \$3,500,000. 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 to reconstruct the Queens College steam line system.

**EXPLANATION:** There are numerous steam lines, both buried and running in the steam pipe tunnel, that provide heat and hot water from the central boiler plant to other buildings on campus. The goal of this project is to implement recommendations for corrective actions outlined in the steam tunnel study. This includes replacement of the steam lines, condensate return lines, valves, steam traps, flash tanks, condensate pumps, expansion joints, pipe anchors and insulation. PRV stations for Fitzgerald Gym, Dinner Hall, Klapper Hall, Rathaus Hall, Kiely Hall and buried sections of piping from the central plant to Fitzgerald Gym will also be replaced.

**Note:**

No previous Board approval was required for the design consultant since the contract amount for the consultant was under \$500,000.

**D. QUEENS COLLEGE - CONTINUATION OF SUPPORT AGREEMENT FOR FINANCING OF THE SUMMIT, THE QUEENS COLLEGE RESIDENCE HALL:**

RESOLVED, That the Board of Trustees of the City University of New York agrees to continue to provide credit support for the Queens College Residence Hall, known as The Summit (the "Project"), in the form of a Support Agreement covering shortfalls in debt service and certain other guarantees and indemnities (collectively, the "Guarantees") and authorizes the General Counsel to execute any documents necessary or related or which may be required in connection with the Guarantees, the Project and the Project refinancing; and be it further

RESOLVED, That the Board of Trustees of the City University of New York authorizes the General Counsel to negotiate, approve as to form, and execute agreements with Queens College, the Queens College Special Projects Fund and Q Student Residences LLC and any other necessary parties related to CUNY's support.

**EXPLANATION:** On January 28, 2008 (Cal.No.6.C), the Board authorized the execution of documents that provided for the development of a student residence to be constructed on the Queens College Campus. The project was financed pursuant to a variable rate bond issue issued by the NYC Housing Development Corporation (HDC) and secured by a Letter of Credit issued by Citizens Bank. The transaction included a ten year swap agreement which created a synthetic fixed interest rate transaction. The Summit Residence Hall was opened in Fall 2009 with full occupancy. Subsequently, Citizens Bank was downgraded by the

rating agencies and was required to accept a tender of the bonds which were then resold in a distressed market. Since that time, the Letter of Credit has been reissued for varying terms, the most recent running until May 2015. As part of a variable rate refinancing in 2009, \$2.0 million of the development fee for the project was deferred, accruing interest at 7.5%. In order to secure the renewal of the Letter of Credit, the Board, at its November 28, 2011 meeting, authorized CUNY to enter into a Support Agreement, which was executed on May 10, 2012. The support Agreement requires CUNY to reimburse the bank for any amount drawn under the Letter of Credit. Simultaneously, CUNY entered into a payment agreement with the Queens College Special Projects Fund and Q Student Residences Corp, LLC to provide for the payment of CUNY's obligations under the Support Agreement.

In November 2013, Citizens Bank was downgraded further by the rating agencies. This downgrade has resulted in higher interest rates on the Bonds. Further, the additional costs incurred in connection with the 2009 refinancing has resulted in deferred principal payments and significant interest accrual due on the developer note.

Lamont Financial Services has been retained to advise the College and CUNY on the most economical way to stabilize the financing of the project debt obligation. After soliciting proposals from four financial institutions as well as the current Letter of Credit provider, Lamont, the College and the Office of Facilities, Construction and Management have determined that Morgan Stanley & Co. LLC should be retained to be lead underwriter for the issuance and sale of a long term fixed rate bond issue for the project. The principal amount of such bonds would include funding for the legal defeasance and refunding of the outstanding 2009 Series A variable rate demand bonds, payment of a swap termination fee and for the full repayment of the deferred development fee note, including accrued interest.

It is anticipated that lease payments by students and other revenue generated by the Summit will cover the cost of servicing the bonds and operating the facility. Only in the event that all of these sources of funds are insufficient will CUNY be liable for the debt service under the Support Agreement.

Approval of this resolution will provide for continued CUNY credit support and will secure low cost long term financing for the project.

#### **E. QUEENS COLLEGE - UPGRADE OF BATHROOMS TO MEET ADA REQUIREMENTS:**

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 Queens College to upgrade existing bathrooms to meet ADA accessibility requirements. 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 total cost of the contract shall be chargeable to New York State Capital Construction Funds, Project No. 3131709999, for an amount not to exceed \$1,235,800. 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 to upgrade existing bathrooms to meet ADA accessibility requirements.

EXPLANATION: The existing bathrooms in Fitzgerald Gymnasium, Dining Hall 1, Dining Hall 2, King Hall, and Rathaus Hall do not allow for handicapped accessibility. It is necessary to upgrade the bathrooms to meet the current code. This project will upgrade and modernize existing bathrooms so that in each of the selected buildings at least one male and female bathroom meets ADA accessibility requirements.

#### **Note:**

No previous Board approval was required for the design consultant since the contract amount for the consultant was under \$500,000.

**F. YORK COLLEGE - RETRO-COMMISSIONING, DESIGN, PURCHASE AND INSTALLATION OF HVAC AND CONTROL SYSTEMS AT THE PERFORMING ARTS CENTER, HEALTH AND PHYSICAL EDUCATION COMPLEX, AND A PORTION OF THE ACADEMIC CORE BUILDING:**

RESOLVED, That the Board of Trustees of The City University of New York authorize The City University Construction Fund to execute a purchase order on behalf of York College, with the firm of Siemens Industry, Inc., for services to retro-commission, design, purchase and install required HVAC systems and controls in the Performing Arts Center, Health and Physical Education Complex and a portion of the Academic Core Building under the existing New York State Office of General Services Contract. The total cost of the Purchase Order shall be chargeable to New York State Capital Construction Funds, Project No. 3059509999 for an amount not to exceed \$1,000,000. 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 to retro-commission, design, purchase and install required HVAC systems and controls.

EXPLANATION: York College will utilize these services and this equipment to provide a functioning HVAC System in the Performing Arts Center, Health and Physical Education Complex and a portion of the Academic Core Building. Retro-Commissioning of the existing HVAC system is required to provide adequate heating and cooling for the buildings occupants.

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

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

RESOLVED, That \$0.25 locally earmarked by CLAS Student Government for the inactive publication *Hatikvah* be re-earmarked for a student produced literary magazine called *Stuck in the Library*, and be it further

RESOLVED, That the student activity fees paid by Undergraduate College of Liberal Arts and Sciences (CLAS) students at Brooklyn College be increased from \$112.65 to \$112.85 per semester to establish a new earmarking in the Student Government fee for a student produced literary magazine called *Stuck in the Library*, effective Fall 2014, in accordance with the following student activity fee schedule:

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

<b>EARMARKED ALLOCATING BODY</b>	<b>CURRENT FEE</b>	<b>PROPOSED FEE</b>
Student Government	\$08.50	\$08.70
Student Service Corp.	32.50	32.50
College Association	61.20	61.20
College Assn./Student Govt.	04.00	04.00
NYPIRG	05.00	05.00
University Student Senate	<u>01.45</u>	<u>01.45</u>
<b>Total Student Activity Fee</b>	<b>\$112.65</b>	<b>\$112.85</b>

Within the \$8.70 Student Government fee, the following local earmarkings exist: \$0.20 for the Riverrun Journal, \$0.50 for the Broeklundian Yearbook, \$0.50 for the Student Film Society, \$0.45 for *Stuck in the Library*, and \$0.25 for On Campus, with the remaining \$6.80 going to Student Government, clubs, and other activities. Within the \$61.20 College Association fee, the following local earmarkings will exist: \$18.60 for

Athletics and Recreation, \$5.00 for the Career Service Center, \$2.00 for the Emergency Medical Service, \$1.00 for Student Concerts, \$1.00 for the Radio Station, \$3.50 for the Academic Club Association, \$0.20 for Poetry Slam, \$1.00 for SOFEDUP (disabled students), \$2.40 for the Student Forensics Society, \$20.00 for the Health Care Clinic \$5.00 for Child Care and \$1.50 for the Study Abroad Scholarship Association. Four dollars (\$4.00) of the student activity fee is jointly allocated by the College Association and the Student Government, with \$2.50 locally earmarked for student newspapers and \$1.50 to the Lay Advocate Program. Both the Student Government and the College Association must approve the budgets for the student newspapers and the Lay Advocate Program.

The Summer Session fee will remain unchanged.

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

<b>EARMARKED ALLOCATING BODY</b>	<b>CURRENT FEE</b>	<b>PROPOSED FEE</b>
Student Government	\$02.50	\$02.50
Student Service Corp.	32.50	32.50
College Association	37.50	37.50
NYPIRG	05.00	05.00
University Student Senate	<u>01.45</u>	<u>01.45</u>
<b>Total Student Activity Fee</b>	<b>\$78.95</b>	<b>\$78.95</b>

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

EXPLANATION: This student activity fee schedule represents a re-earmarking of \$0.25 of the Student Government fee from the inactive publication *Hatikvah* to a student produced literary magazine *Stuck in the Library* and an increase of \$0.20 in the Student Government fee to be earmarked to *Stuck in the Library*. This will provide a \$0.45 local earmarking for *Stuck in the Library* to be allocated by Student Government.

Two referenda were held in conjunction with student government elections held April 28-30, 2014. The vote on the re-earmarking of \$0.25 of the Student Government fee from *Hatikvah* to *Stuck in the Library* was 681 in favor and 197 opposed, with 8% of the eligible students voting. The vote on the referendum to increase the student activity fee by \$0.20 to fund *Stuck in the Library* was 602 in favor and 283 opposed, with 8% of the eligible students voting. The College President supports both referenda.

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

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

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

**B. NEW YORK CITY COLLEGE OF TECHNOLOGY - ESTABLISHMENT OF A SUMMER SESSION STUDENT ACTIVITY FEE:**

RESOLVED, That a \$26.00 summer session student activity fee be established for all students at New York City College of Technology attending summer session, effective Summer 2015, in accordance with the following schedule:

**EARMARKED  
ALLOCATING BODY**

College Association	\$15.55
Student Government	\$05.00
NYPIRG	\$04.00
University Student Senate	<u>\$01.45</u>
 Total Student Activity Fee	 \$26.00

Students enrolled in multiple summer sessions will pay the fee only once per summer. The student activity fee for the academic year will continue to be \$55.15 for full-time students and \$20.80 for part-time students.

EXPLANATION: New York City College of Technology is the only senior college that does not have a summer session student activity fee. In order to provide student activities for the growing summer session population, a summer session student activity fee has been established. The College President supports this fee increase. The student activity fee at the College was last increased in 1998.

Within the \$15.55 College Association fee, the following local earmarkings will exist:

Accident Insurance (\$1.50), Corporation Annual Assessment (\$0.05), Child Care (\$5.25), Health Education and Services (\$5.25), City Tech Times (\$2.00), with the remainder unearmarked.

A referendum was held in accordance with University Bylaw section 16.12, in conjunction with student government elections held April 28-April 30, 2014. The vote on the referendum was 550 in favor and 119 opposed, with 4% of the eligible students voting on the referendum. Of the students who voted, 82% voted to support this fee.

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

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

**C. QUEENS COLLEGE – STUDENT ACTIVITY FEE INCREASE-SHUTTLE BUS SERVICE:**

RESOLVED, That the student activity fees paid by all students at Queens College be increased by \$40.00 each Fall and Spring semester, effective the Fall 2014 semester, to be allocated by the College Association in accordance with the following student activity fee schedules:

**UNDERGRADUATE STUDENTS**

<b>EARMARKED ALLOCATING BODY</b>	<b>FULL-TIME</b>	<b>PART-TIME</b>	<b>SUMMER I</b>	<b>SUMMER II</b>
Student Government	\$06.00	\$03.00	\$01.34	\$02.83
College Association	\$11.00	\$05.50	\$02.41	\$05.17
Shuttle Bus/College Association	\$40.00	\$40.00	\$00.00	\$00.00
Student Services Corp.	\$71.00	\$55.00	\$35.00	\$45.00
Sports Allocation Board	\$23.00	\$15.00	\$15.00	\$15.00
Comm. For Disabled Students	\$02.70	\$02.70	\$02.70	\$02.70
Child Development Center Board	\$02.70	\$02.70	\$02.70	\$02.70
NYPIRG	\$06.00	\$06.00	\$04.00	\$04.00
USS	\$01.45	\$01.45	\$01.45	\$01.45
Total Student Activity Fee	\$163.85	\$131.35	\$64.60	\$78.85

**GRADUATE STUDENTS**

<b>EARMARKED ALLOCATING BODY</b>	<b>FULL-TIME &amp; PART-TIME</b>	<b>SUMMER I</b>	<b>SUMMER II</b>
Student Government	\$03.00	\$01.34	\$02.74
College Association	\$04.75	\$02.41	\$05.01
Shuttle Bus/College Association	\$40.00	\$00.00	\$00.00
Student Services Corp.	\$55.00	\$35.00	\$45.00
Sports Allocation Board	\$08.00	\$08.00	\$08.00
Comm. For Disabled Students	\$02.70	\$02.70	\$02.70
Child Care	\$01.95	\$01.95	\$01.95
NYPIRG	\$04.00	\$04.00	\$04.00
USS	\$01.45	\$01.45	\$01.45
Total Student Activity Fee	\$120.85	\$56.85	\$70.85

**EXPLANATION:**

The above schedules for the Fall and Spring semesters represent an increase of \$40 for the Shuttle Bus Service that will be allocated by the College Association. This will establish a shuttle bus service for Queens College students from the subway (Main Street Flushing) and the Long Island Railroad (Jamaica Station) to the Queens College campus, making two stops on campus, (one on Kissena Boulevard near the Student Union and another on Main Street at Queens Hall). Queens College is extremely difficult to reach via public transportation. Commuting to the campus from these transit points adds an additional 45 minutes to student commutes to campus. The Shuttle bus will cut the average student commute in half by eliminating all the stops on the public bus route and taking a more direct route to campus. This will be particularly welcome during the cold winters and hot summer months. The Shuttle will operate every 15 minutes between the hours of 7:00am and 11:00pm. The Shuttle Bus will entice more students to consider attending Queens College, particularly those from throughout the City and Long Island and will improve retention and student satisfaction. Faculty and staff who wish to avail themselves of the Shuttle Bus will be charged \$40.00 per semester. The College President strongly supports this initiative.

A referendum was held in accordance with University Bylaw Section 16.12, in conjunction with Student Government elections held on April 6-10, 2014. The vote on the referendum was 3220 in favor and 2907 opposed, with 33% of the eligible students voting.

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

The student activity fees allocated by the Sports Allocation Board, the Child Care Board, and NYPIRG are refundable, in accordance with procedures subject to the approval of the College President.

#### **D. THE CITY UNIVERSITY OF NEW YORK - MEDICAL AMNESTY/GOOD SAMARITAN POLICY:**

RESOLVED, That the Board of Trustees of The City University of New York approves The City University of New York Medical Amnesty/Good Samaritan Policy, effective July 1, 2014.

EXPLANATION: The City University of New York's ("CUNY's") Medical Amnesty/Good Samaritan Policy is intended to encourage students to seek medical assistance related to drug and/or alcohol use without fear of being disciplined solely for such use. Because the use of these substances may be life-threatening, CUNY wishes to reduce barriers to students' seeking and receiving medical help in those situations. This Policy is intended to complement New York State's Good Samaritan Law, which is designed to encourage individuals to call 911 in the event of an alcohol or drug-related emergency by shielding from arrest or prosecution for drug possession or underage alcohol use those persons who witness or suffer from a medical emergency involving drugs or alcohol.

Under the Policy, students who call for medical assistance for themselves or others will not be disciplined for the consumption of alcohol or drugs if they meet two basic conditions. First, the students involved must complete assigned alcohol and/or drug education, assessment, and/or treatment. Second, the students must not have engaged in any other conduct that would trigger disciplinary action, including, for example, unlawful distribution of alcohol or drugs, sexual assault, sexual harassment, causing or threatening physical harm, causing damage to property, or hazing.

Finally, if repeated incidents are involved, the availability of medical amnesty to the affected students will be left to the discretion of the campus or unit with which the students are affiliated.

#### **THE CITY UNIVERSITY OF NEW YORK MEDICAL AMNESTY/GOOD SAMARITAN POLICY**

- I. The City University of New York's ("CUNY's") Medical Amnesty/Good Samaritan Policy's purpose is to encourage students to seek medical assistance related to drug and alcohol use without fear of being disciplined for such use. Because the use of drugs or alcohol may be life-threatening, CUNY wishes to reduce barriers to seeking and receiving medical help in those situations. In addition, CUNY wishes to encourage students who may be the victims of or witnesses to sexual harassment or sexual violence while under the influence of drugs or alcohol to seek medical assistance and to report that sexual assault. Toward that end, CUNY's Policy is that students who seek medical assistance either for themselves or others will not be subject to discipline under the circumstances described below.
- II. Students who call for medical assistance for themselves or others and/or who receive medical assistance as a result of a call will not be disciplined for the consumption of alcohol (either if underage or if consumed in a CUNY-owned or operated building/facility where alcohol consumption is prohibited) or drugs under certain conditions. First, the students involved must agree to timely completion of assigned alcohol and/or drug education activities, assessment, and/or treatment, to be determined by the individual campuses or units of CUNY with which the students are affiliated. Second, there must be no other violations that ordinarily would subject the student to disciplinary action. Other violations that would invoke discipline include but are not limited to (i) unlawful distribution of alcohol or drugs; (ii) sexual assault; (iii) sexual harassment; (iv) causing or threatening physical harm; (v) causing damage to property; (vi) hazing.
- III. If students are involved in repeated incidents, the availability of medical amnesty to those students is at the discretion of the campus or unit with which the students are affiliated. Even if medical amnesty is granted to those students, repeated incidents raise issues of medical concern and may result in parental notification, medical withdrawal, and/or other non-disciplinary responses.
- IV. Failure to complete required alcohol and/or drug education activities, assessment and/or treatment by the deadline may result in a revocation of medical amnesty.

- V. CUNY's Policy is intended to complement New York State's Good Samaritan Law, which is designed to encourage individuals to call 911 in the event of an alcohol or drug-related emergency. Generally, this law protects persons who witness or suffer from a medical emergency involving drugs or alcohol from being arrested or prosecuted for drug or underage alcohol possession after they call 911. It does not protect against arrest or prosecution for other offenses, such as the sale of drugs. For more information on New York's Good Samaritan Law, see N.Y. Public Health L. §§ 3000-a, 3000-b, 3013 (McKinney 2000); see also [NY State Assembly website database of law](#).