

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
HIGHER EDUCATION**

HELD

JULY 27, 1971

**AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN**

The Chairman called the meeting to order at 5:30 p.m.

There were present:

Frederick Burkhardt, Chairman
David I. Ashe
Maria Josefa Canino
Alexander A. Delle Cese
Fileno DeNovellis
Jean-Louis d'Heilly
Norman E. Henkin

Minneola P. Ingersoll
Jack I. Poses
Luis Quero Chiesa
Barbara A. Thacher
Nils Y. Wessell
Arleigh B. Williamson
Isaiah E. Robinson

N. Michael Carfora, Secretary of the Board
Arthur H. Kahn, General Counsel

Acting President Edward W. Aponte
President Leon M. Goldstein
President Joseph S. Murphy
Acting President David Newton
President Mina Rees
President Donald H. Riddle
President Herbert Schueler
President Richard D. Trent
President Jacqueline G. Wexler

President Clyde J. Wingfield
President James A. Colston
President Edgar D. Draper
President Joseph Shenker
Professor Ralph W. Sleeper
Mr. Richard Lewis
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Bernard Mintz
Vice-Chancellor Frank J. Schultz

The absence of Mr. Berman, Dr. Johnson, Dr. Lee, Dr. Morsell and Mrs. Weiss was excused.

At this point, the Board went into Executive Session.

**WAIVER OF NOTICE OF MEETING
OF
THE BOARD OF HIGHER EDUCATION**

The undersigned members of the Board of Higher Education do hereby waive notice of a special meeting of the members of the Board of Higher Education to be held on July 27, 1971, at 5:30 p.m. at the Board Office at 535 East 80 Street, Borough of Manhattan, City of New York, to consider the report of the Chancellor's Search Committee and to transact such business at such meeting as may lawfully come before said Board.

DATED: New York, New York
July 27, 1971

s/ David I. Ashe
David I. Ashe

s/ Jean-Louis d'Heilly
Jean-Louis d'Heilly

s/ Nils Y. Wessell
Nils Y. Wessell

s/ Frederick Burkhardt
Frederick Burkhardt

s/ Norman E. Henkin
Norman E. Henkin

s/ Arleigh B. Williamson
Arleigh B. Williamson

s/ Maria Josefa Canino
Maria Josefa Canino

s/ Minneola P. Ingersoll
Minneola P. Ingersoll

s/ Isaiah E. Robinson
Isaiah E. Robinson

s/ Alexander A. Delle Cese
Alexander A. Delle Cese

s/ Jack I. Poses
Jack I. Poses

s/ Fileno DeNovellis
Fileno DeNovellis

s/ Barbara A. Thacher
Barbara A. Thacher

At the request of the Chairman, Mr. Poses, Vice-Chairman, chaired the meeting.

NO. A. COMMITTEE TO SEEK A CHANCELLOR: (a) Mr. Burkhardt, Chairman of the Committee to Seek A Chancellor, presented the following report which was noted and received:

**REPORT OF THE COMMITTEE TO SEEK A CHANCELLOR
July 27, 1971**

Hon. Frederick Burkhardt, Chairman

President Milton G. Bassin

Hon. Norman E. Henkin

Professor Robert Hirschfield
University Faculty Senate
(until May 26, 1971)

Hon. Minneola P. Ingersoll

Hon. James Oscar Lee

Professor Ralph W. Sleeper
University Faculty Senate
(from May 26, 1971)

Hon. Luis Quero Chiesa

Hon. Barbara A. Thacher

Mr. Richard Lewis
University Student Senate

The Committee to Seek a Chancellor was appointed on May 3, 1971 by the Chairman of the Board of Higher Education, the Honorable Frederick Burkhardt, to fill the vacancy caused by the resignation of Chancellor Albert H. Bowker as of September 30, 1971.

The Board Committee was assisted by an advisory group consisting of one of the college presidents, President Milton Bassin, the Chairman of the University Faculty Senate, Professor Robert Hirschfield (and then, his successor, Professor Ralph W. Sleeper), and the Chairman of the University Student Senate, Mr. Richard Lewis.

The Committee met with the outside representatives as a committee of the whole twelve times from May 6, 1971 to July 22, 1971.

The Committee considered in detail the credentials of one hundred and nineteen candidates and the full Committee interviewed four candidates for the position.

The Committee was motivated by the conviction that the individual selected possess the highest possible academic credentials, dedication to urban higher education, and proven administrative ability. The Committee further felt that the individual selected must be able to obtain the confidence of the faculty, students, and the people of the City of New York.

The Board Committee is of the unanimous opinion that Dr. Robert Joseph Kibbee, Vice-President for Planning and Administration of Carnegie-Mellon University and President of the Pittsburgh Board of Education, is the best suited candidate to lead the City University in the years ahead. The advisory members to the Committee also found Dr. Kibbee to be completely acceptable.

Accordingly, the Board Committee to Seek a Chancellor unanimously recommends to the Board the adoption of the following resolution:

RESOLVED, That Dr. Robert Joseph Kibbee be appointed Chancellor of The City University of New York and University Professor of Education, with tenure, effective October 1, 1971, or as shortly thereafter as possible, at an annual salary rate of \$48,375 (\$31,275 plus \$17,100) subject to financial ability.

(b) Upon motion duly made, seconded and unanimously carried, the following resolution was adopted:

RESOLVED, That Dr. Robert Joseph Kibbee be appointed Chancellor of The City University of New York, and University Professor of Education with tenure, effective October 1, 1971, or as shortly thereafter as possible, at an annual salary rate of \$48,375 (\$31,275 plus \$17,100), subject to financial ability. *

Mr. Burkhardt resumed the chair.

(c) Upon motion duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That the members of the Committee to Seek a Chancellor and the Board as a whole express their thanks to Mr. Joseph Wells and Mr. Duncan Pardue for their staff assistance to the Committee to Seek A Chancellor.

At this point the Chairman introduced Dr. Robert Joseph Kibbee to the Board.

*Salary amended 9/27/71 to read \$46,900 due to Presidential wage freeze.

At this point the Board heard Mr. Nick Cifuni, Director of the Blue Collar Division, District Council 37, re the proposed contract for cleaning services for Borough of Manhattan Community College (Calendar No. 4(d)).

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted:

NO. 1. APPROVAL OF MINUTES: Minutes of the special meeting of the Board held July 15, 1971 were approved.

NO. 1A. CHIEF EDUCATIONAL OFFICERS: The provisions of the Education Law regarding the administration of institutions of higher learning and the universal practice of colleges and universities are to the effect that the chief educational officers serve at the pleasure of the lay board which is charged by law with the responsibility of governing and administering the educational institution under its jurisdiction. We have in the past and do now intend, that no literal reading of our Bylaws was or is intended to change that policy-namely, that our chief educational officers, the Chancellor and his Deputy and Vice-Chancellors and University Deans, as well as the Presidents of our colleges and their Vice-Presidents and Deans, serve at the pleasure of the Board.

When we recently conformed our Bylaws to the collectively negotiated contract between the Board and the Legislative Conference, which does not represent the "management" officials of the University, we intended to extend due process rights not only to our permanent instructional staff, but also to other academic titles on the instructional staff. We did not intend that the "due process" requirements for the removal of tenured or tenurable staff be extended to administrative officials. This intent is demonstrated by the designation of the President as the administrative officer charged with the responsibility of carrying out the Board delegated responsibilities of overseeing the due process procedures of the contract and the Bylaws. It is the intent of the Board that the due process rights of those persons mentioned above relate only to their academic instructional functions and not to their administrative instructional functions.

NO. 2. FEES: 1. RESOLUTIONS ON TUITION CHARGES FOR OUT-OF-CITY-STATE RESIDENTS: RESOLVED, That the following schedule of tuition rates for undergraduate students who are non-City residents of New York State be established, effective beginning with the Fall, 1971 semester:

OUT-OF-CITY STUDENTS WITH CERTIFICATE OF RESIDENCE	SENIOR COLLEGES	COMMUNITY COLLEGES
All full-time	\$275 per semester*	\$275 per semester*
All part-time (including summer session)	\$25 per credit and \$18 per additional contact hour	\$20 per contact hour
WITHOUT CERTIFICATE OF RESIDENCE		
All full-time	\$450 per semester*	\$450 per semester*
All part-time (including summer session)	\$35 per credit and \$25 per additional contact hour	\$30 per contact hour

*Maximum tuition to be charged.

EXPLANATION: It is estimated that the above schedule will produce additional fee income of approximately \$1.13 million.

The schedule proposed above raises tuition in all categories for students who reside in New York State but not in New York City. Tuition of \$275 per semester for full-time students with a certificate of residence is the same as the rate to be charged all undergraduates in the four-year colleges of the State University and is also the maximum which may be charged by SUNY's community colleges. The rates for part-time students have been raised correspondingly.

Rates for out-of-City students in both the senior and community colleges who do not have a certificate of residence are established at the same level as the rates charged out-of-State students in order to encourage them to obtain certificates of residence for charge-back purposes.

II. RESOLUTION ON TUITION CHARGES FOR OUT-OF-STATE (INCLUDING FOREIGN) STUDENTS: RESOLVED, That the following tuition rates be established for out-of-State (including foreign) students in the senior and community colleges, effective beginning with the Fall, 1971 semester:

OUT-OF-STATE (INCLUDING FOREIGN) STUDENTS	SENIOR COLLEGES	COMMUNITY COLLEGES
Matrics—full-time	\$450 per semester*	\$450 per semester*
Matrics—part-time (including summer)	\$35 per credit and \$25 per additional contact hour	\$30 per contact hour
Non-Matrics—full-time	\$450 per semester*	\$450 per semester*
Non-Matrics—part-time (including summer)	\$35 per credit and \$25 per additional contact hour	\$30 per contact hour

*Maximum tuition to be charged.

EXPLANATION: The changes effected by the foregoing resolution will have little impact on income but will remove minor inconsistencies in the current fee schedule.

III. RESOLUTIONS ON COMMUNITY COLLEGES GENERAL FEE: Motion to increase the Community College General Fee was made, seconded, and defeated.

IV. RESOLUTION ON TUITION FOR COMMUNITY COLLEGE SUMMER SESSION: RESOLVED, That the currently existing tuition charge in the summer session to matriculated students in the community colleges be eliminated in order that they may attend summer sessions tuition-free; and be it further

RESOLVED, That the immediately foregoing resolution become effective beginning with the sessions offered in the summer of 1972.

EXPLANATION: Students matriculated in the senior colleges attend summer sessions in their colleges on a tuition-free basis. It is understood, of course, that the elimination of the summer session tuition does not affect charges made for excess credits in accordance with previously approved Board policy.

TUITION	FEE STRUCTURE OF MAJOR CUNY FEES	
	SENIOR COLLEGES	COMMUNITY COLLEGES
Graduate	\$450 per semester, or \$45 per credit plus \$17.50 per excess contact hour, whichever is lower.	
Undergraduate		
NEW YORK CITY RESIDENTS		
Matrics (a)—Fall & Spring	none (b)	none (b)
Matrics—Summer Session	none (b)	\$10 per contact hour
Non-Matrics (a)—Fall, Spring & Summer Session	\$18 per credit \$18 per first excess contact hour \$12 per additional contact hour	\$15 per contact hour
OUT-OF-CITY STATE RESIDENTS		
With Certificate of Residence		
Matrics and Non-Matrics		
Full-time	\$275 per semester (d)	\$275 per semester (d)
Part-time (c)	\$25 per credit and \$18 per additional contact hour	\$20 per contact hour
Without Certificate of Residence		
Non-Matrics—Full-time	\$450 per semester (d)	\$450 per semester (d)
Non-Matrics—Part-time (c)	\$35 per credit and \$25 per additional contact hour	\$30 per contact hour
OUT-OF-STATE (including Foreign Students)		
Matrics—Full-time	\$450 per semester (d)	\$450 per semester (d)
Matrics—Part-time	\$35 per credit and \$25 per additional contact hour	\$30 per contact hour
Non-Matrics—Full-time	\$450 per semester (d)	\$450 per semester (d)
Non-Matrics—Part-time	\$35 per credit and \$25 per additional contact hour	\$30 per contact hour
GENERAL FEE		
All Graduate—Fall and Spring	\$50 per semester	
All Graduate—Summer Session	\$18 per semester	
Undergraduate		
Full-time—Fall & Spring	\$35 per semester	\$20 per semester
Part-time—Fall & Spring	\$17 per semester	\$10 per semester
Summer Session	\$17 per semester	\$10 per semester

(a) Full-time and Part-time.

(b) Up to degree requirements plus four additional credits. Excess credits charged at the rate of \$18 per credit in the senior colleges and \$18 per contact hour in the community colleges.

(c) Including summer session.

(d) Maximums to be charged for Full-time.

NOTE: For purpose of determining the applicable rate for the general fee, all students registered in the day session shall be considered to be full-time and all students registered in the evening session shall be considered to be part-time.

NO. 3. COMMITTEE ON CAMPUS PLANNING AND DEVELOPMENT: RESOLVED, That the following items approved by the Committee on Campus Planning and Development be adopted:

(a) RENTAL OF TEMPORARY BUILDINGS—QUEENS COLLEGE:

RESOLVED, That the Board approve a contract for the rental of two temporary buildings of approximately 20,000 square feet each, to be located on the Queens College campus for a total of five years at an annual rental of \$272,400, chargeable to the appropriate tax levy.

EXPLANATION: The proposed temporary buildings will provide facilities for the accommodation of classes and faculty and staff required to meet the instructional and other needs of an increased enrollment at the college.

Contract documents for the rental of the two structures were advertised by the College and a single bid was received on July 1, 1971. The bid was on an annual level rental basis for five years with the College having a no cost purchase option after the fifth year.

The bid price (\$6.80/sq. ft.) is substantially lower than the cost of similar space provided recently on the campuses of Brooklyn, Kingsborough and Staten Island Community Colleges and approval is therefore recommended by the Office of the Dean for Campus Planning and Development.

(b) PURCHASE OF COMPUTER EQUIPMENT—LEHMAN COLLEGE:

RESOLVED, That the City University be authorized to purchase on behalf of Lehman College two disk control attachments for the 1130 Computer at a cost not to exceed \$4,000, from Capital Budget Project HN-191; and be it further

RESOLVED, That the Director of the Budget be requested to approve this purchase.

EXPLANATION: The 1130 computer at Lehman College has insufficient capacity to store the data on the expected Fall 1971 enrollment on its current disks. These devices (which must be purchased) permit the college to attach two rental disk drives to the machine. This purchase has been recommended by the college and has the approval of the Deputy Chancellor.

(c) RENTAL OF SPACE—YORK COLLEGE:

RESOLVED, That the Board approve the rental of 9,300 square feet of space at 160-08 Jamaica Avenue, Queens, for use by York College; and be it further

RESOLVED, That the Department of Real Estate be requested to execute a lease for the above mentioned space.

EXPLANATION: The space will provide York College with faculty and administrative offices.

The Department of Real Estate has negotiated a lease for the subject premises for a five year period at an annual rental cost of \$46,035 (\$4.95/sq. ft.). The lease further provides that the landlord will pay taxes, assessments, water and sewer rents, and provide cleaning services, electricity, air conditioning and make all needed repairs.

Tenant will pay a proportionate share of increases in real estate taxes payable by landlord for the tax year commencing July 1, 1971, to June 30, 1972.

(d) RENTAL OF SPACE—JOHN JAY COLLEGE:

RESOLVED, That the Board approve the rental of 8,750 square feet of space at 360 Park Avenue South for use by John Jay College; and be it further

RESOLVED, That the Department of Real Estate be requested to execute a lease for the aforementioned space.

EXPLANATION: The space will provide faculty offices, offices for the operations of the business manager and registrar and space for a duplicating and stock room facility.

The Department of Real Estate has negotiated a sub-lease for the subject premises for a two year period commencing 9/1/71 at an annual rental cost of \$55,125 (\$6.30/sq. ft.). The cost of electricity and standard building cleaning are included in the annual rental charge. Tenant will be responsible for escalation in labor costs and real estate taxes.

(e) RENTAL OF SPACE—QUEENSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Board approve the rental of space in Junior High School 198 from the New York City Board of Education for the period from July 1, 1971 to June 30, 1972, said space to be used as a Queensborough Community College Extension Center in Rockaway at a total rental cost not to exceed \$10,000, chargeable to the appropriate Queensborough Community College tax levy code.

EXPLANATION: On December 1, 1970, Queensborough Community College commenced the operation of an extension center in Junior High School 198 in Rockaway. During the first semester of operation in the spring 1971, there were 245 registrants at the Rockaway Center and Queensborough Community College plans to continue to operate the Center in its present facilities in the fiscal year 1971-72.

(f) RENOVATION OF MILES SHOE BUILDING— JOHN JAY COLLEGE:

RESOLVED, That the Board rescind its action of November 23, 1970, Calendar No. 37, approving final plans and specifications for partial renovation of the former Miles Shoe Building for John Jay College; and be it further

RESOLVED, That the Board approve final plans, specifications and final estimate of cost construction \$7,913,674.00 as of a projected bid date of September 15, 1971, for the complete renovation of the former Miles Shoe Building, as prepared by E.N. Turano, Architect, in compliance with the terms of their agreement with the Dormitory Authority of the state of New York for the preparation of contract documents; and be it further

RESOLVED, That the City University Construction Fund be and is hereby requested to approve the aforesaid final plans, specifications and final construction cost estimate of \$7,913,674.00, and to authorize the Dormitory Authority of the state of New York to invite bids and to award contracts for the construction of said facilities; and be it further

RESOLVED, That the Note Facility Project C19.01 be revised to include the following text after the words 'estimated cost':

"\$5,700,000.00 for such acquisition plus such further amount, if any, as may be ordered to be paid by the Supreme Court of the State of New York in the condemnation proceeding now pending in relation to the acquisition of such property, and a further amount of \$12,445,444.00 for planning, renovation, equipping and miscellaneous costs."

EXPLANATION: The previous resolution approving final plans and specifications for renovation of the second, third and fourth floors is to be rescinded. Delays in awarding contracts for renovation of these floors caused by problems involving the minority training agreements (New York Plan) has enabled the architect to complete the plans for the balance of the building. The renovation work may now be undertaken in one stage instead of the originally intended two stages.

On September 28, 1970, Calendar No. 15, the Board of Higher Education adopted a resolution approving preliminary plans, outline specifications, and preliminary estimate of cost for the renovation of the former Miles Shoe Building to accommodate the John Jay College of Criminal Justice. The total cost was for \$7,162,940.00; this included \$3,394,202.00 as of November 1970 for the third and fourth floors; \$1,853,780.00 with escalation to February 1, 1971, for the second floor; and \$1,914,960.00, with escalation to November 1, 1971, for the first floor.

On November 23, 1970, Calendar No. 37, the Board of Higher Education adopted a resolution approving final plans, specifications, and final estimate of cost of construction of \$5,678,295.00 as of November 1, 1970 for the renovation of the second, third, and fourth floors of the former Miles Shoe Building. This figure included \$350,000.00 for on-the-job training.

On December 7, 1970, the City University Construction Fund adopted a resolution approving the final plans, specifications, and a construction cost estimate of \$5,378,295.00 for the renovation of the second, third, and fourth floors of the former Miles Shoe Building. This figure included only \$50,000.00 for on-the-job training which accounts for the reduction of \$300,000.00 from the figure approved by the Board of Higher Education on November 23, 1970. The final estimate of cost of construction work for the renovation of the entire building exceeds the preliminary estimate of \$7,162,940.00 for said work by \$700,734.00.

An allowance of \$226,000.00 comprising an escalation from 11/1/70 to 2/1/71 of \$50,000.00 for second floor work and \$176,000.00 for escalation of first floor work from 11/1/70 to 10/1/71 was included in the previous preliminary approval of \$7,162,940.00. If this amount is added to the \$700,734.00 noted above for a total of \$926,734.00, the total increase due to escalation is about 13.3%. This is for a period from 11/1/70 to 9/15/71 (10 1/2 months). 1.25% per month is not considered to be an unreasonable allowance for escalation.

To the \$7,863,674.00 has been added an allowance of \$50,000.00 for an on-the-job training program as previously approved by the Construction Fund.

The cost of \$7,863,674.00 divided by the gross square footage of 275,000 square feet for the first, second, third, and fourth floors equals \$28.60 per square foot, which is considered reasonable for this type of renovation. If we include the 18,500 square feet of area in the basement, the cost per square foot would be \$26.80 per square foot.

The plans and specifications have been examined and accepted by representatives of the College and the Office of Campus Planning and Development. The Dormitory Authority considers the documents to be complete and ready for bidding. The facilities are urgently needed and the plans meet our established requirements and therefore approval is recommended.

A summary of the total project cost is as follows:

1. \$5,700,000.00 plus such further amount, if any as may be ordered to be paid by the Supreme Court of New York in the condemnation proceeding pending in relation to the acquisition of the property at 425-445 West 59th Street, New York, New York:	\$5,700,000.00
2. Cost of construction (as of September 15, 1971) for the renovation of the former Miles Shoe Building, 425-445 West 59th Street, New York, New York (including \$50,000.00 for on-the-job training):	\$7,913,674.00
3. Fees, Surveys, Printing and Miscellaneous Costs (15%):	\$1,180,000.00
4. Demolition:	\$100,000.00
5. Contingencies: \$7,913,674 X 5%=	\$395,000.00
6. Furniture and moveable equipment (BHE resolution, May 3, 1971, Calendar No. 2 (a)):	\$2,856,770.00
TOTAL	\$18,145,444.00

NO. 4. CONTRACTS AND OTHER FINANCIAL MATTERS: RESOLVED, That the following items submitted by the presidents and recommended by the Chancellor be adopted:

(a) REPLACEMENT OF AIR CONDITIONING UNITS—QUEENS COLLEGE:

RESOLVED, That the Board approve the contract documents for replacement of air conditioning units on the roof of Remsen Hall for Rooms 311 and 313, Queens College, Project No. Q-CC-270A, at an estimated cost of \$12,000, chargeable to Code 42-4600-408-01-71 and/or 72.

(See also Cal. No. 2(b), 4/20/64, BHE)

(b) ALTERATIONS ELECTRICAL INDUSTRIES BUILDING—QUEENS COLLEGE:

RESOLVED, That the Board approve the contract documents for alterations to Fume Hood and Exhaust System in the Electrical Industries Building, Queens College, Project No. Q-CC-270D, at an estimated cost of \$7,500, chargeable to Code 42-4600-408-01-71 and/or 72.

(See also Cal. No. 2(b), 4/20/64, BHE)

(c) AIR CONDITIONING AND ELECTRICAL WORK—COMMUNITY FACILITIES BUILDING—QUEENS COLLEGE:

RESOLVED, That the Board approve the contract documents for air conditioning and electrical work for Human Communications Laboratory, Community Facilities Building, Queens College, Project No. Q-CC-270E, at an estimated cost of \$13,500, chargeable to code 42-4600-408-01-71 and/or 72.

(See also Cal. No. 2(b), 4/20/64, BHE)

(d) CLEANING SERVICES—BOROUGH OF MANHATTAN COMMUNITY COLLEGE:

RESOLVED, That the Business Manager of the Borough of Manhattan Community College be authorized to advertise, receive and open bids and award contract to the lowest responsible bidder for furnishing of cleaning services at 135-145 West 70th Street, known as Building "F," for the period from September 1, 1971 to June 30, 1972, at an estimated cost of \$33,000, chargeable to code 42-6600-400-01-72, Contractual Services, or such other funds as may be available.

EXPLANATION: The College will occupy the above premises beginning July 1, 1971. The existing cleaning service contract will expire on August 31, 1971. Continued cleaning service is essential.

Dr. Robinson abstained.

NO. 5. REPORT OF THE DEPUTY CHANCELLOR: Deputy Chancellor Hyman reported that an additional two million dollars has been appropriated from Federal Funds for student aid, bringing the total for the year to seventeen million dollars.

At this point the Chairman introduced Dr. Isaiah E. Robinson, President of the Board of Education, and President Leon Goldstein, newly appointed President of Kingsborough Community College.

Upon motion duly made, seconded and carried, the meeting adjourned at 8:50 p.m.

N. MICHAEL CARFORA
Secretary of the Board