

**MINUTES OF THE MEETING OF THE BOARD OF
HIGHER EDUCATION OF THE CITY OF NEW YORK**

HELD

MAY 22, 1972

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

The Chairman called the meeting to order at 5:40 p.m.

There were present:

Luis Quero-Chiesa, Chairman
David I. Ashe
Herbert Berman
Frederick Burkhardt
Maria Josefa Canino
Alexander A. Delle Cese
Fileno DeNovellis
Jean-Louis d'Heilly
Frederick O'R. Hayes
Norman E. Henkin

Minneola P. Ingersoll
James Oscar Lee
Jack I. Poses
Edward S. Reid
Barbara A. Thacher
Francisco Trilla
Eve Weiss
Nils Y. Wessell
Arleigh B. Williamson

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

Chancellor Robert J. Kibbee
President Milton G. Bassin
President Leonard Lief
President Robert E. Marshak
President Joseph S. Murphy
President Mina Rees
President Donald H. Riddle
President Herbert Schueler
President Richard D. Trent
President Jacqueline G. Wexler
President Clyde J. Wingfield
President William M. Birenbaum
President James A. Colston
President Candido A. de Leon

President Edgar D. Draper
President Leon M. Goldstein
President Kurt R. Schmeller
President Joseph Shenker
President Herbert M. Sussman
Professor Ralph W. Sleeper
Professor Nathan Weiner
Mr. Alan R. Shark
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Julius C.C. Edelstein
Vice-Chancellor Timothy S. Healy
Vice-Chancellor J. Joseph Meng
Vice-Chancellor David Newton
Vice-Chancellor Frank J. Schultz

The absence of Dr. Johnson, Dr. Morsell and Mr. Robinson was excused.

At this point the Board went into Executive Session.

NO. 1. ELECTION OF CHAIRMAN AND VICE-CHAIRMEN: (a) Upon motion duly made, seconded and carried, Dr. Luis Quero-Chiesa was unanimously reelected Chairman of the Board for the two-year period ending May 1974.

(b) Upon motions duly made, seconded and carried, Mr. Jack I. Poses and Ms. Barbara A. Thacher were reelected First Vice-Chairman and Second Vice-Chairman respectively for the two-year period ending May 1974.

NO. 2. ELECTION OF EXECUTIVE COMMITTEE MEMBER: Laid over to the next regularly scheduled meeting of the Board.

NO. 2A. APPOINTMENT—RICHMOND COLLEGE: At this point the Board reconsidered the appointment of Leonard Quart as Assistant Professor at Richmond College with waiver of the bylaws.

Mr. Ashe asked to be recorded as objecting to the procedure followed in the reconsideration of this matter.

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

RESOLVED, That Leonard Quart be appointed Assistant Professor in the Division of Social Sciences at Richmond College for the period 2/1/72-8/31/72, at the salary rate of \$14,830 per annum, subject to financial ability; and be it further

RESOLVED, That the bylaws of the Board be waived to effectuate this appointment as Mr. Quart does not possess the appropriate degree.

EXPLANATION: Mr. Quart has been with Richmond College since its inception. In this time, he has distinguished himself as an outstanding teacher and an innovative, stimulating member of the College community. Although he has completed all the requirements for the doctorate except the dissertation, he feels he would rather use his energies elsewhere—particularly in social science innovative curriculum development, in which he has particularly distinguished himself at Richmond College. He is now publishing regularly on contemporary social issues and on innovation in higher education. His division Personnel and Budget Committee unanimously commended his appointment, as did the College-wide Personnel and Budget Committee by a large majority. Mr. Quart has been serving as a Lecturer (Full-Time).

Mr. Ashe asked to be recorded as voting "NO," and presented the following statement:

As a matter of procedure, the motion to reconsider the matter of waiving our bylaws to promote Leonard Quart after the original motion failed at the Board's meeting of March 27, 1972, was admittedly in violation of Robert's Rules of Order. Our bylaws specifically provide, in Article I, Section 1.6, that our meetings are to be governed by Robert's Rules. While it may have suited the wishes of a majority of the Board members to disregard this requirement, the very purpose of requiring adherence to Robert's Rules is to prevent what was improperly done at this meeting. The author of Robert's Rules well said: "Where there is no law, but every man does what is right in his own eyes, there is the least of real liberty."

More distressing is the fact that we have waived our bylaws to grant a promotion to a faculty member who does not merit such a waiver for the following reasons:

1. Quart has flouted the basic principles of academic freedom and has sought to deny the democratic rights of persons who do not share his views. One such instance occurred at the time of campus unrest in the Spring of 1970. Some faculty members and students at Richmond College, including Quart, had voted to shut down the college. The rules of this Board are very clear on this subject. In a resolution which we adopted on June 23, 1969, and which is still in effect, we said:

"A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he interfere with the institution's educational process or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational and community services."

A Richmond Professor, relying on the above rule of this Board, was holding his class with the express consent of his students. Quart, together with two of his colleagues and a number of students not enrolled in that class, invaded that class in an effort to intimidate the Professor and the students into joining the strike.

In a statement to the Council of Presidents on April 27, 1972, Chancellor Robert J. Kibbee said with regard to student protests against the war in Vietnam:

"I do want to make it clear that I firmly believe that no student or faculty member should be obliged to take part in any boycotting activities. Those who so desire should do so and those not so inclined should have their rights respected."

Our former Chancellor, Albert H. Bowker, shares this view. An article in the Los Angeles Times of January 28, 1972, reporting on Bowker's first six months as Chancellor at Berkeley, said:

"Last fall he suspended two students for leading a class disruption a year ago. A student faculty disciplinary committee had recommended only that the offenders be placed on probation.

"They led a mob into the class and so they were at least somewhat responsible for what happened in the class," Bowker explained. "I just took a more serious view of it. I thought it was a bad thing to do."

And the New York Times of April 27, 1972, in an editorial commenting on campus disruptions at Columbia and a few other universities said:

"The radicals' arrogant contempt for their fellow-students' and teachers' wish to continue their academic work is totalitarian in expression and in effect. It constitutes an assault against both the academic community and the antiwar coalition itself."

In a written report by President Herbert Schueler and Vice-Chancellor Timothy Healy on the Quart matter, dated March 14, 1972, they say with regard to the above classroom invasion: "There is no question that there was disruption and intimidation in the incident described ***. Had proceedings been instituted at this (sic) time against Mr. Quart as well as against those, both students and faculty members, who accompanied him into *** (the) class, there would be no question but that the University would have had to take them seriously." In other words, we are being told that since the college authorities did not take the steps they should have taken at that time, Quart's wrongdoing is to be overlooked and he is to be rewarded by our granting him a waiver of our bylaws in order that he may be promoted. A waiver of the bylaws is an extraordinary procedure which should be granted only in exceptionally deserving cases. It is completely unwarranted for a person who is unmindful of the academic freedom and elemental rights of fellow faculty members and students.

2. Because a bylaw waiver should be granted only in an exceptional case, it should not have been granted here. In the report referred to above, President Schueler and Vice-Chancellor Healy acknowledged that Quart "has no intention of completing his Ph.D. degree, and furthermore does not wish to involve himself in the traditional scholarship of his field." Discussing the "papers that accompany his curriculum vitae," Schueler and Healy say, "they are hardly what would be called scholarly production." Yet we are told in their report that "it does not seem that either the Chancellor or the Board should second guess the professional judgment of the college itself." This is an amazing statement. If we accept it as valid, it means that this Board is merely a rubber stamp to approve every request for a bylaw waiver submitted to it. We must remember that it is the BOARD'S BYLAWS which are sought to be waived, and it is, therefore, the responsibility of the members of the Board to study each such request carefully to see whether a waiver is warranted.

By granting this unmerited waiver we may well have opened the floodgates. If Quart can get a promotion with a waiver of the bylaws on his record, it will be difficult to deny such promotions to countless numbers of other faculty members who can demonstrate that they are more deserving than he is.

NO. 2B. NAMING OF NEW PHYSICAL AND HEALTH EDUCATION BUILDING--THE CITY COLLEGE:

WHEREAS, Jeremiah T. Mahoney was one of City College's greatest and most versatile athletes, excelling in football, baseball, track and field and lacrosse, a four-time winner of the metropolitan all-around athletic championship, winner of numerous high-jump championships here and abroad, and member of the United States Olympic Team; and

WHEREAS, He was a prominent lawyer, founder with the late United States Senator Robert F. Wagner, Sr., of the noted law firm of Mahoney, McNulty, McCarthy & Andrew, as well as a political leader and nominee of the Democratic Party for Mayor of New York City in 1937; and

WHEREAS, He served with distinction on the bench, first as Judge of the Court of General Sessions and later, upon appointment by the late Governor Alfred E. Smith, as a member of the New York State Supreme Court, a post to which he was subsequently elected in his own right; and

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WHEREAS, He was a member of the late Mayor Fiorello H. LaGuardia's "Committee of Ten" in 1945 investigating discriminatory barriers against Black baseball players; and

WHEREAS, He was an outspoken critic of discrimination in all its forms, whose postgraduate life epitomized the ideals and principles upon which The City College was founded 125 years ago; therefore be it

RESOLVED, That City College's new Physical and Health Education Building be designated the "Jeremiah T. Mahoney Hall" after said alumnus of the Class of 1895.

At this point the Board went into Regular Session.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 3 through 9)

NO. 3. APPROVAL OF MINUTES: **RESOLVED**, That the minutes of the Board of Higher Education for the following meetings be approved as circulated:

EXECUTIVE COMMITTEE MEETINGS: March 2, 1972 and March 23, 1972

REGULAR MEETING: March 27, 1972

NO. 4. COMMITTEE ON CAMPUS PLANNING AND DEVELOPMENT: The following items are placed on the calendar subject to the approval of the Committee on Campus Planning and Development which meets on May 15, 1972:

A. PHASE I CONSTRUCTION—KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Board approve preliminary plans, outline specifications and preliminary estimates of cost of \$29,412,854 (as of January 1972) for the construction of the following new building packages:

1. Administration/Theater
2. College (Student) Center
3. Academic Cluster (West)
4. Library and Media Production
5. (a) Site Improvements and (b) Site Utilities

as part of the proposed Phase I Construction, at Kingsborough Community College, as prepared by Katz, Waisman, Weber, Strauss and Warner, Burns, Toan, Lunde, Associated Architects; and be it further

RESOLVED, That the Bureau of the Budget be and is hereby requested to approve said documents and estimate at a cost limitation of \$39,231,064 (based on estimate of cost of \$26,436,960 as of January 1972 for items 1 through 5(a), to which is added \$4,158,534 for escalation to projected bid date of October 1973, \$3,059,549 for bid contingency, and \$1,682,752 for contingencies during construction; and based on estimate of cost of \$2,975,894 as of January 1972 for item 5(b), to which is added \$394,901 for escalation to projected bid date of June 1973, \$337,080 for bid contingency and \$185,394 for contingencies during construction) chargeable to Capital Project HN-190; and be it further

RESOLVED, That the State University be and is hereby requested as appropriate to establish or adjust the applicable Capital Budget Project to implement the action approved by this resolution.

EXPLANATION: The buildings delineated in the preliminary plans are basically reinforced concrete slabs on structural steel or reinforced concrete frames on pile foundations with brick, metal and glass facade. Interior finishes and mechanical systems conform to our standards.

The buildings basically contain classrooms, offices, theater, dining facilities, book store, lounges, meeting rooms, library, media production and study rooms, all in strict conformity with the program of requirements. The plans meet the approval of the College and the Office of Campus Planning and Development in all aspects of design and function.

The plans have received preliminary examination of the Building Department and conform to legal requirements for exits and stairs, subject of course to final examination of completed contract documents. The design has also received preliminary approval of the Art Commission of the City of New York which rules on aesthetic considerations.

A. The original Master Plan Budget as of June 1969 based on a total gross area of 455,916 sq. ft. for each of the following was:

1. Administration, gross area: 42,735 sq. ft.	\$1,568,400
2. Theater/Auditorium, gross area: 29,260 sq. ft.	1,395,700
3. College (Student) Center, gross area: 110,815 sq. ft.	4,853,600
4. Academic Facility (West), gross area: 139,948 sq. ft.	5,995,500
5. Library, Center for Self-Development, gross area: 102,990 sq. ft.	4,691,300
6. Media Production Center, gross area: 17,668 sq. ft.	1,000,900
7. Service Tunnel (Phase I), gross area: 8,700 sq. ft.	397,100
8. Concourse (Phase I), gross area: 12,500 sq. ft.	509,500
9. General Site Development	3,275,000
Sub-total	\$23,687,000

B. Reductions:

Pro-rated heating and cooling equipment transferred to Central Heating Plant	-\$847,998
Transfer of areas (13,110 sq. ft.) from Admin. to Heating Plant Constr. Package	-481,137
Sub-total	-\$1,329,135

C. Additions:

80% of Phase II Service Tunnel required to activate revised I buildings (6,960 sq. ft.)	\$317,680
80% of Phase II Site Drainage required to activate Phase I Utility Site Work	60,000
Transfer of areas from Central Services to College Center and Administration (2,350 sq. ft.)	94,000
Sub-total	+\$471,680
Revised June 1969 Budget (total A, B & C)	\$22,829,545
Escalation Cost Factor from June 1969 to January 1972 is 34.26% X \$22,829,545	\$7,821,402
TOTAL	+\$471,680

D. Items Not Foreseeable Prior to Completion of Master Plan:

(a) Addition to Site Development cost for special fills (Corps of Engineers new requirements for flood control)	\$668,000
(b) In the event that the Library is not part of Phase I Construction, an Allowance must be made for temporary supply of electricity to the Science and Art Complex	\$200,000
Total Master Plan Adjusted Budget as of January 1972	\$31,518,947

E. Architect's Estimates as of January 1972:

1. Administration/Theater, gross area: 81,100 sq. ft.	\$4,784,793
(a) Administration (\$2,974,293)	
(b) Auditorium/Theater (\$1,810,500)	
2. College (Student Center, gross area: 94,800 sq. ft.)	\$6,056,845
3. Academic Cluster (West), gross area: 140,600 sq. ft.	\$6,687,538
4. Library & Media Production, gross area: 117,300 sq. ft.	\$5,817,934
5. Site Development	\$6,065,744
(a) Site Improvement including \$668,000 for additional fill, item D (a) above (\$3,089,850).	
(b) Site Utilities including \$200,000 for temporary electric service to Science and Art Complex, item D (b) above (\$2,975,894).	

NOTE: Site Utilities are required to service Phase I Buildings and should be part of the New Heating Plant and Central Service Building bid package.

TOTAL	\$29,412,854
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The Architect's estimate of \$29,412,854 is lower than the Master Plan Adjusted Budget by \$2,106,093 and is therefore considered to be within our allowable total project cost limits.

The gross area of the buildings as proposed is 434,800 square feet. The cost of building construction only, per square foot, excluding Site Development, as of January 1972, is therefore \$23,347,110 divided by 434,800 or \$53.69 per square foot, which is considered reasonable for these types of buildings.

It should be noted that the estimated cost of \$29,412,854 is to be considered a "value" estimate. The estimators define this as being one reflecting "normal" market conditions. A "normal" market would reflect known labor wage rates; known material costs; available work forces of all trades; sufficient supply of building materials; normal or predictable labor productivity; sufficient and responsive available bidders; unrestrictive financial capabilities; sufficient subcontractors and material suppliers.

As stated in the body of the resolution, the estimators advise that given present day bidding and market conditions, bids might be expected to range up to 10% higher than their present "value" estimate to reflect present abnormal market conditions. Accordingly an amount of \$3,396,629 has been requested for bidding contingency should market conditions at time of bidding reflect abnormal pricing similar to present day conditions.

At the time of completion of final plans and a final detailed estimate, an assessment of the bidding market will be made. This analysis will determine the degree of abnormality of the market at that time. An abnormal market would reflect premium labor costs for overtime, travel or guaranteed wage; premium prices for materials or a shortage of materials; shortage of skilled labor; insufficient prime or subcontractors, reflecting poor responsive competitive bids; high borrowing costs for construction activities; high risk factors due to long term construction durations; decrease in labor productivity.

The estimators are maintaining a monthly guideline on market abnormality factors and will keep CUNY advised during the development of final plans as to general trends or anticipated impact.

Both the estimators and the construction manager, as well as the University and College technical staffs, believe that these buildings as designed are reasonable and economical considering the program functions to be served.

On this basis it is recommended that the plans be accepted and that approval of the Budget Director be requested in order that final plans may be developed for these vitally needed facilities.

B. RENOVATION OF SHUSTER HALL—LEHMAN COLLEGE:

RESOLVED, That the Board approve preliminary plans, outline specifications and preliminary estimate of cost \$1,581,000 (as of April 1972) for Renovation of Shuster Hall Lehman College, Bronx, as prepared by Giorgio Cavaglieri, Architect, in accordance with his contract with the Dormitory Authority of the State of New York dated November 19, 1970; and be it further

RESOLVED, That the City University Construction Fund be requested to approve said preliminary plans, etc. and to authorize the Dormitory Authority to direct the Architect to complete the final plans, bid documents, etc. for the renovation work.

EXPLANATION: The Board, on October 27, 1969 (Calendar No. 3) and the City University Construction Fund on July 9, 1970, authorized the execution of a contract with Giorgio Cavaglieri for the design of the renovation work required to convert Schuster Hall into a Central Administration Building at an estimated cost of \$1,179,900 (as of April 1969) as proposed in the Campus Master Plan for Lehman College.

The preliminary plans, etc. for the renovation work indicated that the programmed use for the facility will adequately be met with appropriate interior renovation work. The plans have been examined for egress and zoning by the Building Department and the design has been approved by the College and the Office of Campus Planning and Development.

The preliminary estimate of \$1,581,000 dated April 1972 indicates an average cost for renovation of \$16.50 per square foot for the 96,072 gross square foot building. The cost, \$1,581,000, may be compared with the tentative master plan figure of \$1,179,900, which if multiplied by an escalation factor of 1.418 to equate it to an April 1972 date, would produce a comparable estimate of \$1,673,000.

Approval of the preliminary plans, specifications, and cost estimate is recommended in order that the Architect may be directed to proceed with the completion of final documents.

C. ACQUISITION OF SURPLUS FEDERAL PROPERTY—KINGSBOROUGH COMMUNITY COLLEGE:

WHEREAS, Certain real property owned by the United States, located in the City of New York, State of New York, has been declared surplus and is subject to assignment for disposal for educational or public health purposes by the Secretary of Health, Education and Welfare, under the provisions of Section 203(k)(1) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and rules and regulations promulgated pursuant thereto, more particularly described as follows:

DESCRIPTION OF PROPERTY

Approximately 5.95 acres designated as Parcel B on survey of Manhattan Beach Hospital, dated October 23, 1963, with a north boundary 541.23 feet long principally along the southern edge of Oriental Boulevard, an eastern boundary of 506.25 feet long abutting college property along Perry Avenue, a southern boundary 481.34 feet long abutting Parcel A of the Manhattan Beach Hospital property, and a western boundary approximately 515 feet long abutting right of way strip to Parcel A.

WHEREAS, The Board of Higher Education of the City of New York needs and can utilize said property for educational purposes as set forth in its application and in accordance with the requirements of said Act and the rules and regulations promulgated thereunder:

Now, Therefore, Be It Resolved, That said Board of Higher Education of the City of New York shall make application to the Secretary of Health, Education, and Welfare, for and secure the transfer to it of the above-mentioned property for said use upon and subject to such exceptions, reservations, terms, covenants, agreements, conditions, and restrictions as the Secretary of Health, Education, and Welfare, or his authorized representative, may require in connection with the disposal of said property under said Act and the rules and regulations issued pursuant thereto; and

Be It Further Resolved, That the Board of Higher Education of the City of New York authority is willing and is in a position to assume immediate care and maintenance of the property, and that Robert J. Kibbee, Chancellor of The City University of New York be and he is hereby authorized, for and on behalf of the Board of Higher Education, to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents, the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, and the payment of any and all sums necessary on account of the purchase price thereof or fees or costs incurred in connection with the transfer of said property for surveys, title searches, appraisals, recordation of instruments, or escrow costs.

EXPLANATION: This resolution is required by the application for surplus Federal property abutting the Kingsborough campus. The application covers approximately six acres of land of a total acreage of fifteen acres; two of which are being sought by a retarded children's educational organization and seven of which are being sought by a geriatric extended care facility. The tripartite division of property has been proposed in an effort to create a complex for the training of technicians in these segments of the Human Resources field. It is generally agreed that the arrangement will constitute a unique cooperative venture which will supply badly needed technicians in very rapidly growing areas.

D. PURCHASE OF MOVABLE EQUIPMENT—NEW YORK CITY COMMUNITY COLLEGE:

RESOLVED, That the Board approve the estimate for the purchase of movable equipment for the Jay Street Building of New York City Community College in the amount of \$1,561,712, (including \$168,570 for escalation to projected construction completion date of November 23, 1972), chargeable to Capital Budget HN-178. This equipment is required for the building now under construction; and be it further

RESOLVED, That the Bureau of the Budget be and is hereby requested to approve said estimate of \$1,561,712, chargeable to Capital Project HN-178; and be it further

RESOLVED, That the State University be and is hereby requested as appropriate to establish or adjust the applicable Capital Budget Project to implement the action approved by this resolution.

EXPLANATION: The College has submitted a listing of movable equipment which has been reviewed by the Department of Design and Construction Management and found to be reasonable for the facility described. The estimate submitted by the College is in the amount of \$1,393,142. This equipment is required to make the facility functional. It is required that sufficient lead time be allowed to order this equipment to have delivery coincide with the opening of the building in the latter part of next year.

E. SUMMER RENTAL—YORK COLLEGE:

RESOLVED, That the Board approve the summer rental of approximately 29,350 square feet of space at 150-91 87th Road, 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 aforementioned space.

EXPLANATION: York College presently rents the subject facility for ten months per year (September through June) under the terms and conditions of a three year lease which expires on July 31, 1974. The summer rental (July and August) of this facility is requested in order to provide the college with special purpose facilities (swimming pool, gymnasium, art studios, photo labs and music rooms) for its summer session and which are not available at the college's other buildings. Also, during the month of August, faculty and other professional and clerical staff will require the use of their offices, records and equipment.

The Department of Real Estate has negotiated an amendment to the above lease providing for the summer rental of the subject facility for the reduced amount of \$6,000 per month. The total annual rental will therefore be increased from \$88,050 (\$3.00/S.F.) to \$100,050 (\$3.41/S.F.).

Tenant will provide his own cleaning services during the month of July and August and will also be responsible for the payment of electricity.

Except as modified by the foregoing, the lease shall in all other respects remain unchanged.

NO. 5. CONTRACTS AND OTHER FINANCIAL MATTERS: RESOLVED, That the following resolutions presented by the presidents and recommended by the Chancellor be adopted:

A. UNIFORMED GUARD SERVICE—BROOKLYN COLLEGE:

RESOLVED, That the Board approve contract documents and authorize Brooklyn College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing uniformed guard service as required for the buildings and campus areas of Brooklyn College located at Bedford Avenue and Avenue H, 72 Schermerhorn Street, 96 Schermerhorn Street and 210 Livingston Street, Brooklyn, New York for a period of one year at an estimated annual cost of \$462,915 with options to renew annually for the next two (2) years. Cost is based on an estimate of \$320,962 for campus at Bedford Avenue and Avenue H, \$80,362 for 72 and 96 Schermerhorn Street and \$61,591 for 210 Livingston Street, Brooklyn, New York, chargeable to Brooklyn College Tax Levy Code 042-4500-402-01/73.

B. UNIFORMED GUARD SERVICE—HUNTER COLLEGE:

RESOLVED, That the Board approve contract documents and authorize the Business Manager of Hunter College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing Uniformed Guard Service as required by Hunter College, for the period July 1, 1972 through June 30, 1973, at an estimated cost of \$330,000, not to exceed 90,000 hours, chargeable to budget code 042-4400-403-01-73, Office Services, subject to financial ability. The specifications include an option to renew the contract for a period of one year (i.e. From July 1, 1973 to June 30, 1974).

C. UNIFORMED GUARD SERVICE—NEW YORK CITY COMMUNITY COLLEGE:

RESOLVED, That the Board approve the contract documents and authorize New York City Community College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing uniformed guard service as required for all the buildings of the New York City Community College, at an estimated cost of \$200,000, chargeable to Code 42-61-00-403-1-73-25F, Office Services, subject to financial ability.

D. UNIFORMED GUARD SERVICE—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 Uniformed Guard Service at the following locations: Building A, 134 West 51 Street; Building B, 799 Seventh Avenue; Building D, 1585 Broadway; Building L, 172 Amsterdam Avenue; and Building M, 135 West 70 Street, for the period September 1, 1972 through June 30, 1973 at an estimated cost of \$137,000, chargeable to Code 42-6800-403-01-73 Office Services or such other funds as may be available, subject to financial ability.

E. CLEANING AND MAINTENANCE—BROOKLYN COLLEGE: Laid over for further consideration.

At this point the Secretary read a letter from Mr. Nick Cifuni, Director, Blue Collar Division, District Council 37, protesting the action of using contract cleaning services rather than Civil Service Custodials.

F. CLEANING AND MAINTENANCE—LAGUARDIA COMMUNITY COLLEGE:

RESOLVED, That Fiorello H. LaGuardia Community College be authorized to advertise for, receive, open bids, and award contract to the lowest responsible bidder for Cleaning Maintenance for the period July 1, 1972 through June 30, 1973, renewable for a second year, at the option of the College, at an estimated cost of \$240,000 chargeable to Code 42-6900-400-01-73, Contractual Services, and/or such other tax levy funds as may be available, subject to financial ability; and be it further

RESOLVED, That the Mayor be requested to approve and authorize the expenditure of the estimated amount of \$240,000.

NO. 6. ORAL REPORT OF THE CHANCELLOR:

There are about four items that I would like to speak to the Board about.

Since the last time we met the Legislative Session has ended in Albany, and I think it would be well for us to review what happened there. In terms of the budget, we got out of the Session with approximately two-thirds of the money that we had hoped we would get. I think we came out of the Session in terms of the budget with somewhat more than we could have reasonably expected, given the position in which we had entered. The Governor had been talking about a no-increase budget for the City University and the State University, and we got approximately twelve million dollars additional funding from the State.

Aside from the budget, it was a rather affirmative year for the City University. As Jack Poses has just told you, the Legislature this year passed a bill which placed the community colleges construction under the City University Construction Fund. In the past this went through the City's Capital Budget. It was clear to us that this arrangement would make the development of community colleges in this City a thirty-year proposition. The amount of money in the City's Capital Budget keeps decreasing, and the need for the money keeps increasing, and we have to compete with the Departments of Hospitals, Parks, etc. for it. As you know, for at least the past three years we have gone to the Legislature with a package of bills to place the community colleges construction under the City University Construction Fund. This year the legislation was passed and awaits the Governor's signature. It must be assumed that the Governor will sign the legislation when he gets around to it.

The third issue was the issue of the Bronx campus of New York University. As you know, back in January when the Governor gave his State of the State Message, he proposed the purchase of the New York University Bronx campus by the State for the development of a major technological complex. For a number of reasons this proposal did not hold up once the Legislature met, and it moved to a point where the suggestion was made that the Bronx campus be used 80% by the Bronx Community College and 20% by the State for a restricted complex. And in the end, none of that came to pass, and the actual bill which came from the Governor's Office was that the entire campus be purchased by the City University Construction Fund for use by the Bronx Community College. There is a lot still to be done once that legislation is signed. The price has not been arranged, and there is a complicated mechanism by which that price is to be arranged, but since New York University was going to divest itself of the campus, the fact that it was acquired for the Bronx Community College will move ahead the facilities available to the College much more rapidly than could have been done and will remove us from the problem of building over the railroad and subway tracks. I might say that in the community college legislation there was an authorization of four hundred million dollars of expenditures for the community colleges of the City.

There were two other bills, one which was essentially ours and the other was essentially a compromise worked out with the private institutions. There was a bill to allow us to pool the funds available to the community colleges from the State and to distribute these monies among the community colleges ourselves rather than according to the Ingler formula although the total of the funds is set by this formula. This passed one house but got caught up in the other house for technical reasons. We will try to clear these in the future. The second is the "pass through" bill which came out of the discussions of the Regents Advisory Council. It would create a common pool for students. They would go out of this pool into the private institutions according to the capacities of private institutions to deal with them, and with them would go the amount of money needed to educate them. This bill did not pass the Legislature and was not essentially our bill. We did a lot of work on it, but it was essentially a private college bill. If it had passed, there was a real question as to whether the Governor would sign it.

It seems to me, in looking back, that it was a remarkable year in the Legislature when earlier in the year it looked like it would be a very dismal year. I'd like to be able to take credit for that, but I'm afraid that would be overstating the case. There were things

that made it possible that did not seem possible six months ago. But there are a large number of people who deserve credit. First and foremost, one would have to give credit to Mr. Paley, who is our legislative representative. Every place I went in Albany, the evidence of Mr. Paley's operations were clear and they were effective. His contracts are absolutely amazing, and the labor he put in on this Session was beyond the call of duty. Mr. Roger Noyes was employed by Frank Schultz's office about six months ago. His special field was the technical side of the Legislature. Together they were able to keep track of many things that were not that carefully followed before and to have an impact on the technical staffs of the Legislature. I think also that, one step removed, one should give a large amount of credit to some people in the Central Office—the Deputy Chancellor, who really designed the community colleges bill and also worked very hard on the New York University campus bill, and the "pass through" bill; Mr. Schultz, who worked on getting the budget passed; Mr. Edelstein, who worked on the whole process of developing the kind of support within the City which had its impact on the Legislature. Credit is also due to the Presidents of the colleges, the students and the faculties, all of whom worked very hard in dealing with the Legislature. I'd like to give recognition to all of the people who helped make this a memorable year—when it seemed that it would be memorable in a dismal way.

The second thing I would like to speak to is the budget as it now comes to the City. The budget will come out on Wednesday. The Battle of the Budget has been on the quiet side this year. The attempt has been made to solve the problems internally and through agreements. For a long time there was no real movement in the City because the City was actively involved at that time in trying to move its package in the Legislature. Since the Legislature has adjourned, the activity has increased, but it is not the same kind as existed in the City in previous years. There have been a number of discussions, particularly with the Comptroller and leaders of the Council. I have had two appearances before the Board of Estimate and the Budget Committee of the Council, on May 2, a budget hearing, and on May 17, an executive session with the Board and the Council in seriatim. I don't know how it was in previous years, but I didn't find them to be hostile. There was vigorous questioning by some members of the Council, but they were directed not on the budget but on policy questions regarding the Evening Sessions and the Graduate School and University Center. Most of the discussion that I had in terms of questions and answers came from very few people and seemed to be on these issues. I don't know what we can expect from the City. In an optimistic mood I think it will not be very bad. I am having a discussion tomorrow morning first thing with the Mayor. I don't know how much of this will be devoted to the budget. We don't have long to wait, and from all the indications I have gotten, it doesn't appear that there will be major efforts to cut into the City University budget.

Just a word in passing about the Regents Advisory Council, which is moving ahead with its agenda. It has a number of task forces that have dealt with specific problems that relate to the relationships among colleges, and they are now getting down to the point where they have to provide a report on their activities. This report took up most of the discussion at the last meeting. The way it is coming out is the way we feel is reasonable and sensible. There is a group writing the report at the present time, and President Lief is on that team. Not only is he a professor of English and literature, but as Seymour says, he is a professor of English who thinks between sentences.

Last Week Deputy Chancellor Seymour Hyman was honored by the City College Alumni Association as their Man of the Year. We told him that that was last year. He has to win his laurels all over again this year.

Sometimes you read things in the press before I have a chance to tell you about them. I want you to know that the situation at New York University is a serious one. We have been in constant discussions with Dr. Hester. The sale of the uptown campus is only a partial solution to the problem. The problem is much more severe, and within the next day or so there will be a news announcement from the University dealing with severe cutbacks in liberal arts, social work, etc. It is a major operation, and through conversations that Dr. Hyman and Dr. Healy have had with President Hester, we have given assurances to New York University that City University will do everything it can to give consideration to people on the New York University faculty who will have to be eliminated through major cutbacks in staff and personnel. I have written a letter to that effect to President Hester and I have given him permission to use it in every way he can to ease the problem that he is going to face and the City is going to face in this serious situation. This has nothing to do with the School of Engineering. The bill that passed the Legislature required that New York University and Brooklyn Polytechnic go into negotiations to merge the two schools at the Brooklyn site. We don't want to intrude City University into that process or to give anyone the impression that we are entering this. We have told both parties that at the point when they want us to enter the discussion, we will be willing to do so. It will be serious for New York University and because New York University is so large, for the City of New York, and we thought we should be considerate of the problems of a sister University and the City for many people are going to be affected by this.

I think that completes my oral report. If we have time at the end, there is one other matter I would like to take up in Executive Session.

NO. 7. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report (including Addendum Items) for the month of May 1972 be approved, as amended as follows: Items listed in PART H ERRATA, to be withdrawn or changed as indicated.

NO. 8. GENERAL DISCUSSION - POLICY PROPOSALS FOR FUTURE BOARD CONSIDERATION: Professor Ralph Sleeper introduced Professor Nathan Weiner, newly elected Chairman of the University Faculty Senate.

NO. 9. COMMITTEE ON LAW: Mr. Ashe, on behalf of the Committee on Law, served notice of the following proposed amendments to the bylaws:

(a) Amending Sections 8.1 and 8.2 to make it clear that ineligibility to vote in departmental matters includes a resigned person as well as a person who has received notice of nonreappointment. The amendment would, nevertheless, permit a prospective retiree to vote during his last year of service.

(b) Amending 9.1(d) to provide that, where a new department chairman is to be elected by reason of a vacancy occurring during the course of his three-year term, the term of office of the Personnel and Budget Committee or Appointments Committee need not be affected.

At this point the Board went into Executive Session.

Upon motion duly made, seconded and carried, the meeting adjourned at 9:20 p.m.

N. MICHAEL CARFORA
Secretary of the Board