

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

HELD

MAY 7, 1973*

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

The Chairman called the meeting to order at 5:45 p.m.

There were present:

Luis Quero-Chiesa, Chairman
David I. Ashe
Herbert Berman
Alexander A. Delle Cese
Jean-Louis d'Heilly
Frederick O'R. Hayes
Norman E. Henkin
Joseph J. Holzka

James Oscar Lee
John A. Morsell
Jack I. Poses
Edward S. Reid
Barbara A. Thacher
Francisco Trilla
Eve Weiss
Nils Y. Wessell

Marguerite V. Rich, Acting Secretary of the Board
Arthur H. Kahn, General Counsel

Chancellor Robert J. Kibbee
President Milton G. Bassin
President William M. Birenbaum
President James A. Colston
President Candido A. de Leon
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
President Robert E. Marshak
President Joseph S. Murphy
Acting President Harold M. Proshansky
President Donald H. Riddle
President Kurt R. Schmeller

President Herbert Schueler
President Joseph Shenker
President Herbert M. Sussman
President Richard D. Trent
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor Nathan Weiner
Mr. Alan Shark
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Timothy S. Healy
Vice-Chancellor J. Joseph Meng
Vice-Chancellor David Newton
Vice-Chancellor Frank J. Schultz

The absence of Mr. Burkhardt, Ms. Canino, Mr. DeNovellis, Ms. Ingersoll and Dr. Johnson was excused.

*Meeting of April 30, 1973 postponed to this date.

NO. A. GUEST: The Chairman introduced Mr. Claudio Prieto, Executive Assistant to the President of the University of Puerto Rico, who is visiting New York.

NO. B. PROPOSAL TO RESTRUCTURE THE BOARD: Upon motion duly made, seconded and carried, the following statement on Governor Rockefeller's proposal to restructure the Board was adopted:

**STATEMENT BY THE BOARD OF HIGHER EDUCATION
ON GOVERNOR ROCKEFELLER'S PROPOSAL TO
RESTRUCTURE THE BOARD**

For many years Governor Rockefeller has sought to compel the imposition of mandatory tuition upon undergraduate New York City students enrolled at colleges of the City University. Standing between the Governor and his objective over the years has been the city-appointed Board of Higher Education backed by the overwhelming majority of the people of our city.

To overcome this opposition the Governor is now proposing the abolition of the present board and its replacement by a new body of eleven members, five of whom would be appointed by him, five by the Mayor, with the President of the New York City Board of Education serving *ex-officio*.

Aside from the fact that intelligent and informed review of the university's diverse affairs would be impossible with only eleven members, the Governor's proposal is clearly an attempt to establish a board structure upon which he can impose his will. His expressed will is to end free undergraduate education at City University.

The basis for the Governor's proposed radical restructuring of the board is the financial support of City University provided by the state, a lesser amount than is contributed through city tax levy funds. To pursue this logic would end local control of elementary and secondary education throughout New York State with gubernatorial appointees to local school boards reflecting state aid contributions.

The Governor's proposal is completely contrary to sound principles of home rule. It is in violation of his own often stated commitment to "creative federalism" wherein localities are rewarded for local effort by being entrusted with local policy control.

No locality in the state exerts the effort on behalf of public higher education that has and is being put forth by New York City. It is clear to the citizens of New York City that the financial burden carried by them is indispensable for social harmony and the proper functioning of higher education in this city. Rather than rewarding them for this commitment, the Governor proposes to undermine the ability of the Board of Higher Education to carry out their mandate.

We urge in the strongest possible terms that the state make its commitment to urban public higher education real by supporting a no-tuition policy, an adequately budgeted City University, and the present independent Board of Higher Education.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. C through 16)

NO. C. DESIGNATION AS MEMBER EMERITUS: (a) RESOLVED, That Calendar No. A of the minutes of the Board meeting held March 26, 1973 be rescinded.

(b) RESOLVED, That the minutes of the meeting reflect the sincere gratitude of the members of the Board of Higher Education to the Honorable Arleigh B. Williamson for his significant service as a member of the Board of Higher Education and that this expression of appreciation and the following resolution be spread upon the minutes.

WHEREAS, Professor Arleigh B. Williamson's term of office expired on June 30, 1972, after eighteen years of service; and

WHEREAS, Professor Williamson has rendered outstandingly painstaking, wise and creative service to the Board of Higher Education, to the colleges of the City University and to the young people of this city since his first appointment to this Board in 1954, and throughout his eighteen years of service; and

During this period he has been instrumental in sponsoring the entire community college system of the Board. In his efforts to champion a community college on Staten Island he appeared before the Mayor and the Board of Estimate and upon approval of the establishment of the Staten Island Community College he served as the Chairman of its presidential search committee and as Chairman of the Committee on the Staten Island Community College from June 1955 until 1971, at which time the college committees were disbanded.

When a community college in the Bronx was proposed, he instituted a survey and here, too, appeared before the Mayor and the Board of Estimate and chaired the presidential search committee, starting the second community college of the Board.

After advocacy for more than ten years for four years of college education in the Borough of Richmond, Professor Williamson conducted with Peter Spiridon, Survey Director, a study for the need of such education, and, again, convinced the Mayor and the Board of Estimate of the validity of the proposal, and was the founder of Richmond College.

He has served as: Chairman of the Committee on Community Colleges from the time of the founding of the Staten Island Community College to his scheduled retirement; member of the Committee To Look To The Future, which Committee recommended the establishment of The City University of New York and outlined its first Master Plan; member on numerous other committees of the Board, including the Executive Committee, Committee on Program and Personnel, Committee on The City University of New York and college committees, both senior and community. Prior to and during his tenure he has had an exemplary record of public service: graduate of Columbia University; Distinguished Service Scroll from the City of New York; honorary L.H.D. degree from The City University of New York; President of the Speech Association of America; President of the Speech Association of the Eastern States; Distinguished Citizen Award from Wagner College; Interfaith Award from B'Nai B'Rith; Distinguished Alumni Award from Carnegie-Mellon University; designated "Fellow of the Institute" by the Board of Trustees of the Staten Island Institute of Arts and Sciences;

THEREFORE, BE IT

RESOLVED, That this Board, speaking not only for itself, but also for the Chancellor, presidents, faculty and students, express its unstinting gratitude to Arleigh B. Williamson for his devoted service to higher education in the City of New York, and in recognition thereof designate him a Member of the Board Emeritus, effective February 27, 1973.

NO. 1. APPROVAL OF MINUTES: RESOLVED, That the minutes of the Board of Higher Education for the following meetings be approved as circulated:

Executive Committee Meeting – February 8, 1973

Regular Board Meeting – February 26, 1973

NO. 2. COMMITTEE ON BUDGET AND FINANCE: RESOLVED, That the following actions approved by the Committee on Budget and Finance be adopted:

A. FURNISHING UNIFORMED GUARD SERVICE--BROOKLYN COLLEGE:

RESOLVED, That the Board of Higher Education approve contract documents and authorize Brooklyn College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for furnishing uniformed guard service as required for the building and campus area of Brooklyn College for a period of one year with an option to renew for one year, in the estimated amount of \$597,610 chargeable to Brooklyn College Tax levy code 042-4500-403-01/74-842, 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 \$597,610 for the proposed contract.

EXPLANATION: the 1972-73 guard service contract was estimated to cost a total of \$642,915, providing a total of 144,661 hours of coverage. However, as new buildings have been added upon their completion or partial completion, limited guard service posts and hours have become necessary. The total cost of the 1972-73 contract, therefore, will probably total \$472,150. This increased cost for 1972-73 falls within the 5% excess limitation on contract costs.

The 1973-74 request is estimated to cost \$597,610 and will provide for 18,056 additional hours of coverage for four new buildings plus the full annual need for guard posts only partially staffed during 1972-3. Additional guard service-related equipment has been added at an annual cost of \$4,500; and an estimated inflationary cost is anticipated.

B. FURNISHING CLEANING AND MAINTENANCE--BROOKLYN COLLEGE:

RESOLVED, That the Board of Higher Education approve contract documents and authorize Brooklyn College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing cleaning and maintenance at 72 Schermerhorn Street, 96 Schermerhorn Street and 210 Livingston Street, Brooklyn, New York, for a period of one year with an option to renew for an additional two (2) years at an estimated annual cost of \$610,400, chargeable to Brooklyn College tax levy code 042-4500-403-01/74-804; and be it further

RESOLVED, That the Mayor be requested to approve and authorize the expenditure of the estimated amount of \$610,400 for the proposed contract.

EXPLANATION: The cleaning and maintenance contract for 1972-73 will total \$299,400 and will service facilities at 72 Schermerhorn Street, 96 Schermerhorn Street and 210 Livingston Street, Brooklyn, New York—a total of 303,600 square feet of space. During this current year, 30,000 additional square feet of space were made available in the three facilities, and it is estimated that the cost for 1973-74 will not exceed \$610,400. The low cost for the current year was due to a limited cleaning and maintenance requirement for less than a year. For the year 1973-74 it is expected that full cleaning and maintenance will be needed to provide elevator operation and maintenance; normal cleaning and maintenance of the buildings, snow removal and street maintenance, mechanical services and supervision; boiler and cooling tower water treatment; shade and window blind maintenance and removal; refrigeration and air conditioning maintenance and comprehensive equipment maintenance at an estimated cost not to exceed \$610,400. The cost per square foot is expected to be at \$1.82.

C. CONTRACT FOR UNIFORMED GUARD SERVICE 1973-1974--QUEENS COLLEGE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize Queens 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 period July 1, 1973 to June 30, 1974 at a total estimated cost of \$350,000 chargeable to Code 42-4600-403-01-74 and/or such other funds as may be available, subject to financial ability; and be it further

RESOLVED, That the Budget Director be requested to approve said contract documents at a total estimated cost of \$350,000 chargeable to Queens College Expense Budget Code 42-4600-403-01-74 and/or such other funds as may be available, subject to financial ability.

EXPLANATION: The 1972-73 contract totaled \$300,000. The \$50,000 increase anticipated for 1973-74 is due to price increases (approximately \$21,000), and the need for 12,650 additional guard and supervisor hours.

D. RELOCATION EXPENSES—BRONX COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize Bronx Community College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing moving service for relocation to New York University Heights Campus July 1, 1973 as required at a total estimated cost of \$125,000 chargeable to code 042-6300-403-01-74; and be it further

RESOLVED, That the Mayor be requested to approve and authorize the expenditure of the estimated amount of the \$125,000 for the proposed contract.

EXPLANATION: The College has acquired a permanent campus with the purchase of New York University, Bronx Campus, through the New York State Dormitory Authority. It plans to relocate to this permanent campus sometime soon after July 1, 1973 so that it can function from this new campus starting with the fall semester in September, 1973. It is estimated that the cost of making such a move will be approximately \$125,000. The cost is dependent upon the number of vans, men required and the total hours required to make the move from the College's various rented facilities. Funds are expected to be available in the College's code 042-6300-403-01-74.

E. PURCHASE OF FURNITURE AND EQUIPMENT—LAGUARDIA COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize LaGuardia Community College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing classroom and administration furniture and equipment at a total estimated cost of \$195,000, chargeable to Code Number 42-6900-300-01-73.

EXPLANATION: A new Satellite Campus must be equipped with classroom and administration furniture and equipment so as to accept the increased enrollment assigned in September, 1973.

F. INCREASE IN COST—UNIFORMED GUARD SERVICE—THE CITY COLLEGE:

RESOLVED, That the Board of Higher Education authorize The City College to award contract for furnishing Uniformed Guard Service including Armed Service when necessary as required for the Buildings and Campus areas of The City College, 138th Street and Convent Avenue, for the period July 1, 1973 to June 30, 1974 with an option by the College to renew for one additional year beginning July 1, 1974—June 30, 1975 in the amount of \$848,657.72 which is \$15,107.42 in excess of the 10% allowed for award over the estimate by Board of Higher Education Regulations, Item IIIb, chargeable to Code 042-4300-403-01-74—Office Services; and be it further

RESOLVED, That the Director of Budget be requested to approve and authorize the expenditure of \$848,657.72, which is \$90,884.72 in excess of the estimated amount, for the proposed contract. (See also Cal. No. 2(b)4, 4/20/64).

EXPLANATION: The Board of Higher Education at their meeting of the Executive Committee, March 8, 1973, Policy Calendar No. 1A, approved the contract documents and specifications and authorized The City College to advertise for, receive and open bids and award contract to the lowest responsible bidder for the related service and by letter of transmittal dated March 28, 1973

requested consideration for the issuance of a DM Certificate from the Director of Budget in accordance with the specifications and the annual estimated cost of \$757,773, chargeable to OTPS Code 042-4300-403-01-74—Office Services. On April 4, 1973, the Bureau of Budget advised the College that DM Certificate No. 590 had been issued authorizing the College to advertise for, receive and open bids pursuant to authority stipulated in the Board of Higher Education Regulations, April 1, 1968, Item IIIb.

Public Advertising began Friday, March 30, 1973 in the City Record and concurrent solicitation was made directly to prospective bidders. The results of this exposure was reflected in distribution by the College of fifteen (15) bid documents to respondents to this proposed contract requirement. Bids were opened and publicly read Tuesday, April 10, 1973 at 11:00 AM with formal response by two bidders, Burns International Security Services, Inc., the high bidder, submitted a bid in the amount of \$861,731.60, The Wackenhut Corporation, the low bidder, submitted a bid in the amount of \$848,657.72.

A covering letter submitted by the Wackenhut Corporation dated April 6, 1973 indicated justification of their submission of a higher bid as compared with the previous three (3) years of service to the College. Their justification stated that the higher bid was brought about because of the increase in operating cost of the Wackenhut Corporation along with a planned substantial increase in wages which they are projecting to provide all personnel pending award of contract. This planned wage increase is felt necessary by Wackenhut in order to attract more experienced security personnel and to retain personnel now assigned to the College who have not had a major wage increase during the past contract periods.

Reconciliation of the hourly guard rate for the periods the Wackenhut Corporation has serviced the College on contract—1970-1973 and including the hourly rate bid on the current requirement for the budget period July 1, 1973-June 30, 1974 to include the option of renewal through 1975 reflects an annual compound rate of interest over a five (5) year period of 4% increase on the guard rate and 3 3/4% in the supervisory rate.

To provide adequate security coverage for the 35 acre Campus of The City College, indications are that expense will continue to be higher than those of our sister institutions. Reconciliation indicates that the low bid submitted by The Wackenhut Corporation is within keeping of normal increase taking into consideration the justification as offered by The Wackenhut Corporation. The President of the College, as well as the offices of the College responsible for security, support the award of contract to The Wackenhut Corporation in the amount indicated and request earnest and expeditious consideration for approval by the Board of Higher Education and the Director of the Budget.

NO. 3. COMMITTEE ON CAMPUS GOVERNANCE: Item withdrawn.

NO. 4. COMMITTEE ON LAW: (a) Report noted. (A complete copy of the report is on file with these minutes in the office of the Secretary of the Board.)

The following item was adopted in Executive Session:

(b) **RESOLVED**, That to assist the Board and the Chancellor to fulfill their respective responsibilities there shall be established the position of [Vice-Chancellor and General Counsel] **General Counsel and Vice-Chancellor** for the purpose of [organizing and supervising] **providing organization and supervision of all legal services for the Board and the University[,] and its several educational units and administrative and educational officers thereof except those that may be required by law to be rendered by the Corporation Counsel.**

EXPLANATION: It is necessary to upgrade and expand the University's present capacity for the rendition of legal services by reason of the increasing volume and complexity of:

- (1) Grievance hearings and arbitrations.
- (2) Requests for legal opinions and services to the colleges and other educational and administrative units of the University.
- (3) Proceedings before city, state and federal agencies in the field of human rights.
- (4) Required formalities in hearings involving students, faculty and administrative employees.
- (5) Relationships to city, state and federal officials and other public and private authorities and institutions.
- (6) Examination and preparation of city, state and federal legislation affecting the interests of the University.
- (7) Demands for oral and written opinions concerning the Board's bylaws and the effect of city and state laws.

- (8) Problems relating to wills, gifts and grants.
- (9) Dealings with landlords and contractors.
- (10) Contract negotiations and bidding procedures.
- (11) Coordination with the Corporation Counsel regarding litigated matters.
- (12) Miscellaneous day by day routine matters.

In virtually all instances, these activities are a part of the day to day administration of the University for which the Chancellor is held responsible. It is important that legal services be organized in a manner consistent with other aspects of administration and that the chief legal officer be a part of the administrative decision-making process.

It is understood, **due to the requirements of law**, that the legal services of the University will be available directly to the Board of Higher Education and its officers on matters that are non-administrative in nature and it is further understood that the ~~[Vice-Chancellor and General Counsel]~~ **General Counsel and Vice-Chancellor** has a primary responsibility to assure the Board that the activities of the University are being carried on under the provisions of the Board's bylaws and resolutions as well as in accord with the requirements of law.

The current bylaws provide for the positions of General Counsel and that of Vice-Chancellor. The position description above is contained within the existing bylaw provisions eliminating the necessity for a bylaw amendment.

NOTE: Matter in [brackets] to be deleted, matter in bold type is new.

Mr. Ashe asked to be recorded as voting "NO" and to record his objection to the placement of an advertisement for the position in THE NEW YORK TIMES on Sunday, May 6, prior to action on this resolution by the Board.

(c) Mr. Berman, on behalf of the Committee on Law, served notice of a proposed amendment to the bylaws with respect to leaves of absence.

In accordance with established procedure, the full text of the bylaw amendment will be circulated ten days before the next regularly scheduled meeting of the Board.

NO. 5. COMMITTEE ON CAMPUS PLANNING AND DEVELOPMENT: RESOLVED, That the following items approved by the Committee on Campus Planning and Development be adopted:

A. and B. Items withdrawn. (See Calendar Nos. 15 and 16.)

C. PHASE II—LAGUARDIA COMMUNITY COLLEGE:

RESOLVED, That the Board approve the Phase II preliminary plans, outline specifications and preliminary estimates at a cost of \$8,722,000 (as of April 1973) for the renovation and addition to the existing campus of LaGuardia Community College, located at 31-10 Thompson Avenue, Long Island City, Borough of Queens, as prepared by Gueron, Lepp and Associates, 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 \$9,542,740 (including \$366,324 for escalation to projected bid date of November 5, 1973 and \$454,416 for contingencies during construction).

EXPLANATION: The College and University staff have reviewed the preliminary plans, specifications and cost estimates and found them to be satisfactory and acceptable.

The plans have been examined by the Building Department for conformance to legal requirements for exits, stairs and other safety requirements, subject 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.

The original October 1971 Board proposal to the Bureau of the Budget can be summarized as follows:

1. a. Renovation, 222,573 sq. ft. gross @ \$28.88/sq. ft. =	\$6,427,900
b. Associated Renovation Site Work (lump sum) =	104,365
2. a. New Gymnasium Addition, 25,127 sq. ft. gross, including Natatorium @ \$60.43/sq. ft. =	\$1,518,420
b. Associated Gymnasium Site Work (lump sum) =	258,855
T O T A L original estimate, October 1971, 247,700 sq. ft. gross @ \$33.55/sq. ft. =	\$8,309,540

Deletion of the proposed natatorium (estimated at \$115,000) by the City Budget Bureau revised downwards the original total estimate of October 1971 to \$8,194,540.

The approved facilities program indicated above was based on an attempt to include in the renovated structure an approved programmed area of 159,300 net square feet (net to gross ratio of 1:1.40) and in the gymnasium addition thereto a net programmed area of 20,000 square feet (net to gross ratio of 1:1.26).

During the schematic phase of planning, it was determined that the actual gross square footage in the existing building based upon actual measurements is 232,302 sq. ft. gross, which was greater than the original assumption by 9,729 sq. ft. gross. Even with this addition of 9,729 sq. ft. gross, the available gross footage proved inadequate to meet the net program requirements.

Consequently, it was the architect's recommendation that the existing structure be increased in size by the addition of a mezzanine and certain exterior additions to accommodate the original approved net program requirements. These additions total 14,171 gross square feet and will provide a total gross area in the existing structure of 246,473 square feet (232,302 plus 14,171). The actual programmed area provided in the renovated building is 159,725 square feet (approximately equal to the approved program of 159,300 square feet) and is included in the 246,473 gross square foot structure at a net to gross ratio of 1:1.54. A careful review of the plans indicates that the design architects have effectively and efficiently utilized the existing space and their recommendations to meet the net programmed space requirements are reasonable.

The gymnasium addition approved as a 25,127 gross square foot structure to include a net programmed area of 20,000 square feet is indicated in the preliminary plans as a building of 25,156 gross square feet providing a programmed area of 19,985 net square feet.

The preliminary plans, specifications and cost estimates (April 1973) as developed may be summarized as follows:

1. a. Renovation, Alteration, 246,473 sq. ft. gross @ \$28.36/sq. ft. =	\$6,989,500
b. Associated Renovation, Site Work (lump sum) =	115,000
2. a. New Gymnasium Addition, 25,156 sq. ft. gross, excluding Natatorium @ \$54.36/sq. ft. =	\$1,367,500
b. Associated Gymnasium Site Work (lump sum) =	250,000
T O T A L cost as per Architect's plans, April 1973, 271,629 sq. ft gross @ \$33.11/sq. ft. =	\$8,722,000

The preliminary estimate of \$8,722,000 (April 1973) compares favorably with the approved October 1971 budget estimate of \$8,194,540 which if escalated to a comparable April 1973 date would indicate a cost of \$9,013,994.

Approval of the preliminary plans, etc., is recommended in order that the architect may be authorized to complete the preparation of bid documents.

D. RENEWAL OF LICENSE AGREEMENT—MEDGAR EVERS COLLEGE:

RESOLVED, That the Board approve the renewal of a license agreement for 8,853 square feet of space at 85 South Oxford Street for use by Medgar Evers College; and be it further

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

EXPLANATION: The space provides Medgar Evers College with four classrooms, six offices, two meeting rooms and storage facilities.

The Department of Real Estate has negotiated a renewal of the license agreement for the subject premises for a one year period commencing June 1, 1973 at an annual rental cost of \$21,650 (\$2.44/sq. ft.) which is at the same rate as last year's license agreement.

E. SUPPLEMENTAL NOTE AGREEMENT NUMBER 23

RESOLVED, That the form and substance of Supplemental Note Agreement No. 23, dated as of March 19, 1973, between the Board of Higher Education, the Dormitory Authority and the City University Construction Fund be approved and the chairman is authorized to execute the same; and be it further

RESOLVED, That prior to execution, minor changes, insertions, and omissions may be made by the Chairman, and the execution of Supplementary Note Agreement No. 23 by the Chairman and attested by the Secretary shall be conclusive evidence of approval.

EXPLANATION: The approval and execution of Supplemental Note Agreement No. 23 to the June 12, 1967 Note Agreement between the Board, the Authority and the Fund will permit the funding by the Dormitory Authority of various projects heretofore approved by the Board.

F. APPLICATION FOR NYU FINANCING:

RESOLVED, That the Board authorize the submission of an application to the Dormitory Authority of the State of New York to provide funding in amounts not to exceed \$62 million for acquisition and \$15 million for initial rehabilitation and related work in connection with the acquisition of the University Heights Campus of New York University; and be it further

RESOLVED, That approval of this application be requested of the Trustees of the State University of New York, the State Director of the Budget and the Director of the Budget of the City of New York.

EXPLANATION: The state Budget Office has advised that the State Supplemental Budget for 1973-74 will provide a \$77 million "first instance" appropriation for the indicated expenditures.

The submission of an application for funding to the Dormitory Authority, with prerequisite approvals of SUNY and the State and City Budget Directors, is a requirement mandated by the 1972 Legislation which provided for the financing of the community college construction program via the City University Construction Fund and the New York State Dormitory Authority.

NO. 6. COMMITTEE ON THE ACADEMIC PROGRAM: RESOLVED, That the following actions approved by the Committee on the Academic Program be adopted:

A. A.A.S. TRANSFER PROGRAM:

RESOLVED, That the April 29, 1970 Board of Higher Education resolution regarding transfer for Associate in Applied Science graduates of the City University community colleges be amended to read as follows:

RESOLVED, That all Associate in Applied Science degree recipients from the City University community colleges be awarded a minimum of 64 credits* toward a baccalaureate degree upon transfer to parallel senior college professional programs** and that they shall be required to complete only the difference between 64 and the total credits required in the baccalaureate program in which the students enroll; and be it further

RESOLVED, That all Associate in Applied Science degree recipients from the City University community colleges be awarded a minimum of 64 credits* toward a baccalaureate degree upon transfer to a senior college liberal arts curriculum or related professional program in the same field as the community college degree, be it business, health, technology or human services; and that a course of study be prepared for each of these students after an evaluation of his academic background by the major department faculty advisor in consultation with the Academic Dean at each senior college. This prescription will outline a program of studies that will enable the student to earn the baccalaureate degree within sixty to seventy-two credits at the senior college; and be it further

RESOLVED, That a University Committee be formed to prepare recommendations for students in all areas not mentioned above, as well as to review all recommendations from the faculty and grievances regarding A.A.S. transfer students. The committee shall include representatives from both senior and community colleges as well as from the Office of Admissions Services and the Office of the Vice-Chancellor for Academic Affairs; and be it further

RESOLVED, That the above A.A.S. Transfer Program be reviewed after one year.

EXPLANATION: The present articulation system for development of transfer agreements between community college Associate in Applied Science programs and baccalaureate programs at the senior colleges has proved inadequate when faced with the enormous number of A.A.S. programs and graduate applicants for transfer. To resolve this situation, it is necessary to adopt more flexible guidelines for transfer. These guidelines are fully supported by the November 12, 1969 Board of Higher Education resolution on Open Admissions.

*The 64 Credit Award is based upon a baccalaureate requirement of 128 credits. Should the credit requirement differ at a particular senior college, the community college graduate will be granted one-half the baccalaureate credit total upon transfer.

**Community college level include the following: accounting, advertising, banking & finance, business administration, business education, business management, education associate, early childhood education, electrical, electro-mechanical, and mechanical technology, marketing management and sales, retail business management, medical laboratory technology, medical record technology, nursing, performing arts-music, pre-pharmacy, recreation leadership, secretarial science. All new programs requiring parallel status will be reviewed and approved by the Committee on the Academic Program.

B. A.A.S. TRANSFER AUTHORITY:

RESOLVED, That the Office of Admission Services be recognized as the authority in all transfer areas regarding CUNY associate degree recipients. Its officers will certify the total number of credits to be granted in transfer and also the student priority for placement in the case of limited allocation to a particular curriculum based upon Board of Higher Education resolution. In all instances of possible space limitation, OAS will consult with the senior colleges several months in advance to determine the available spaces.

EXPLANATION: A centralized transfer operation for the entire University is needed to serve the increasing number of transfer applicants. The Office of Admission Services has been generally involved in this field since the beginning of 1972, therefore it is well equipped to take full responsibility.

NO. 7. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for the month of April 1973 (meeting postponed to May 7, 1973) (including Addendum Items) be approved, as amended, as follows:

- (a) Items listed in PART H—ERRATA, to be withdrawn or changed, as indicated.
- (b) The following items listed in PART C—CURRICULA AND PROGRAMS are withdrawn and referred to the Committee on the Academic Program:

C.7.1.—Women's Studies—Richmond College (Included in ERRATA also)

C.9.3.—Establishment of an Institute of Lifetime Learning—Lehman College

C.11.6.—Separation of Departments—Staten Island Community College

C.13.1C.—Proposal for a Women's Research and Resource Center—Queensborough Community College

(c) Item A-1.2.11 (concerning Associate Professor David Muss) to be withdrawn and referred to the Committee on Law for study and recommendation to the Board. Mr. d'Heilly asked to be recorded as voting "NO."

- (d) Item AA.1.1. Waiver for Professor Juan Rodriguez-Cruz of Brooklyn College laid over for further discussion.
- (e) Item E.1.1. New York City Community College—Voorhees Campus Building, amended to read as follows:
RESOLVED, That the Board of Higher Education authorize the New York City Community College to advertise for, receive and open bids in order to award Purchase Order(s) to the lowest responsible bidder(s) for the following renovation work to be done on the Voorhees Campus Building of the New York City Community College, chargeable to funds advanced by the Committee on Trusts and Gifts, subject to reimbursement from City Funds.

JOB	ESTIMATED COST
1. The installation of a Dek-O-Tek type, or approved equal, weather-ware roof to all roof areas of the building	\$65,000
2. The installation of a 12-foot high Chain Link fence for the perimeter of the roof	\$23,000
3. The repointing, corking and silicone treatment of the exterior brick	\$75,000
TOTAL	\$163,000

EXPLANATION: The work described above is required to improve the structural integrity of the building. Normally such work is performed by using funds from either the operating or capital budget. However, at the present time no such funds are available.

NO. 7A. IMMUNITY FROM PROSECUTION: It was the consensus of the Board that the Committee on Law be instructed to draw up guidelines to cover situations where an employee of the Board is granted immunity from prosecution.

NO. 8. UNIVERSITY REPORT: The Chancellor presented his oral report on matters of Board and University interest:

My report is divided into two parts, part of which I will give you now and part in executive session.

The first thing I have to report with regret is the resignation of Dean Rosner of the Division of Teacher Education. He will be going to Temple University to become Dean of Teacher Education there. It will be a different kind of experience for him. This will be effective about the first of July.

The second thing I want to talk about is the union negotiations, part of which I will report on in executive session. The current situation is the same as it was. The factfinders will make their report on about the fifteenth of May. There have been some briefs prepared for the factfinders. I believe that either you have or will shortly be getting copies of the City University's brief to the factfinders on the annual salary and increment questions. We are sending these to you for your information. I will have more to say about this in terms of the next steps in the executive session.

You also have received recently a copy of a report on the compliance of community college facilities with master plan goals. What we have attempted to do here is to give you a three-year view of what has happened to show you the level at which we are now in relationship to our goals. You will also get within a few days a similar report on the senior colleges.

We have also sent you for future discussion three reports on the general area of Open Admissions. The first is the Astin Report, which is a report for which the Board contracted with the American Council on Education. It deals with a one-year study, the first year of Open Admissions, a combination of assessments and interviews with students, which will be of some value to you, but it is important to point out that there will be some weaknesses in the report in terms of information that was available. The sample that they were dealing with was small and not a representative one. The second weakness is that it depends on student evaluation of their grade-point average, course failures, etc., and when these are compared with the records, it is clear that the students' tended to overstate their achievements.

The second report you received was a report on Open Admissions at the City University by Drs. Lavin and Jacobson. This attempts to demonstrate what happened to students over the first year and a half. Only twelve of our colleges are included in that report. Three were eliminated because of technical difficulties of getting data. Three did not have a freshman class. There was a great deal of difficulty in accumulating data for this year, which accounts in part for the fact that it only covers three semesters. Dr. Lavin is preparing a report on the first four semesters which will have a wider data base.

Because of the difficulties encountered with the data, we generated last year another report which I refer to as the Murphy Report. It is a transcript survey of a sample of the students in the original class of 1970 and also in the class of 1971. This tries to assess the students who have survived in terms of how many are doing satisfactory work and how many are doing remedial and unsatisfactory work. It deals with a greater number of students and how each has fared over the year.

We have done a few other things which should provide us with information. We have established two offices in the central administration, the University Office of Management Data and the Office of Program and Policy Research. The operation of these two offices will provide better data and help us in the analysis of the data from the colleges. Last winter I went to each of the colleges, raising the question of doing a review of Open Admissions and remediation. One of the important factors is for each of the colleges to be able to analyze what is happening to its students, which may give us some clue to those things that work better than others.

I would hope that all of you who are interested, as I know all of you are, in the whole process of Open Admissions will read these reports, and I also promise you that we will be getting out reports over the next few months that will bring the information further along than these reports and provide a stronger data base on which to make judgments.

The next matter I wanted to talk to you about was the budget. The current situation is not too different from what I described the last time. The budget for the senior colleges is still tied closely to the ability of the City University to get an amendment to remove certain restrictive language. The Senate has indicated a willingness to pass that amendment. The Assembly is still not willing. We have had conferences with two groups. We had a meeting with Republican representatives from the City of New York. President Wexler and I tried to convince them of the importance of this matter with some success. Seven of the eleven members present were strongly in favor of the University position by the end of the meeting and promised to make their feelings known. I had a long discussion with Senator Marchi, who indicated that he would make his own representations to the Speaker about this matter. The rest of the budget is tied up in the Governor's Omnibus Bill, which covers several things.

Let us talk just briefly about the content of this bill. I won't give you all of the items it covers. The most important are:

1. The increase in Bundy Aid for private institutions, which would give an additional twenty-two million dollars to the private institutions.
2. Special support for dental education.
3. A proposal for the continuing support of the newly merged programs of Brooklyn Polytechnic and New York University.
4. A proposal for the City University to charge students who come from counties outside the City of New York up to two-thirds of the operating cost of their education. It also authorizes those counties that wish to do so to pick up part or all of the cost of payment to the City University. The Education Law provided that counties would be charged directly for students who attended the City University. This came to the attention of the Lieutenant Governor, who pushed for this section of the omnibus bill. Now we can no longer automatically charge the cost to the county but only to the student. If the county wishes to pay part of the student's tuition it can do so.
5. The reduction in the size of the City University Board to eleven members and a proposal that ends the term of all present Board members as of July 1.
6. An amendment of the original legislation dealing with the N.Y.U. campus sale. As you recall, the original legislation allowed the sale of the N.Y.U. campus to City University for the sole use of the Bronx Community College. In the negotiations it was made clear that part of the facilities there could not be used by Bronx Community College, and we may want to use them for other activities of the University. We wanted it to say that it was for the use of Bronx Community College and the City University. The Legislature wanted it to read that it may be used for other purposes upon agreement between the Chancellor of the City University and the Budget Director of the State. It became clear that the Governor's Office felt that if they didn't have this language in, we might develop an engineering institution in competition with other colleges. We are now trying to work out some sort of agreement with the Budget Office and the Governor's Office for a better phrasing. I'm pretty sure we will come to some agreement.
7. A section that dealt with treating the community colleges in the City of New York as a single entity. The purpose was to give a certain amount of flexibility to the University in dealing with the community colleges. It was felt that the University would benefit if all the colleges were considered a single unit.

I will try to send to you within the next few days a copy of the Omnibus Bill so that you will have the text. It is clear that one of the purposes of the Omnibus Bill is to include a number of things some of which people like and some of which people don't like. It makes the private institutions hostages to some of the other things that the Governor would like to do which is exactly what the Governor intended in tying all of these issues together in a single bill.

I believe that is all I want to report now.

NO. 8A. STUDY ABROAD PROGRAM: Professor Mary Jane Kingkade, Dean of Special Programs at the Graduate School, reported briefly on the Study Abroad Program.

NO. 9. GENERAL DISCUSSION: No action taken.

NO. 10. RICHMOND COLLEGE ACADEMIC EVALUATION: Discussed in Executive Session.

NO. 10A. RESIGNATION OF PRESIDENT SCHUELER—RICHMOND COLLEGE: Upon motion duly made, seconded and carried the following resolution was adopted:

RESOLVED, That the Board of Higher Education accept the resignation of Dr. Herbert Schueler as President of Richmond College, effective August 31, 1973, with appreciation for his significant contribution to the founding of Richmond College and for his thirty-two years of dedicated service to the City University as teacher and administrator.

NO. 11. SELECTION OF ARCHITECTS—RENOVATION WORK—UNIVERSITY HEIGHTS CAMPUS: RESOLVED, That the Board approve the selection of Brown, Guenther, Battaglia and Seckler, Architects for studies, investigations, reports, schematic and preliminary planning, etc. in connection with renovation work which will be required at the University Heights Campus of New York University when such campus is acquired by the City University for the use of the Bronx Community College; and be it further

RESOLVED, That the City University Construction Fund be requested to authorize the New York State Dormitory Authority to enter into an agreement with the indicated architects for such services at an initial fee not to exceed \$300,000.

EXPLANATION: The City University has estimated that an expenditure of \$35 million will be necessary to bring the University Heights Campus into a suitable and adequate condition for use as a campus for the Bronx Community College. The State Director of the Budget has indicated his intent to request a supplemental appropriation of \$15 million in the State Budget for initial renovation work in the 1973-1974 year.

This resolution will authorize the retention of the indicated architectural firm to investigate the physical condition of the campus facilities and to develop a program for the performance of rehabilitation, modernization and alteration work to accommodate the needs of Bronx Community College.

NO. 12. ACQUISITION AND INITIAL REHABILITATION—UNIVERSITY HEIGHTS CAMPUS:
Item withdrawn, (see Cal. No. 5F).

NO. 13. PROFESSIONAL SERVICES—ANALYSIS OF COST CENTER BUDGETS FOR CUNY:
RESOLVED, That the Board of Higher Education enter into an agreement with McKinsey and Company beginning May 1, 1973, for an amount not to exceed \$9,300 for the purpose of providing professional services to assist in the analysis of cost center budgets for the City University of New York.

EXPLANATION: McKinsey and Company will assist the Office of the Vice-Chancellor for Budget and Planning in analyzing the allocation of financial resources among academic departments and administrative units.

NO. 14. PROFESSIONAL SERVICES—DEVELOPMENT OF BUDGET REFORMS SYSTEMS FOR

CUNY: RESOLVED, That the Board of Higher Education enter into an agreement with McKinsey and Company beginning May 1, 1973 for an amount not to exceed \$8,800 for the purpose of providing professional services to assist in the developing of Budget Reform systems for the City University of New York.

EXPLANATION: McKinsey and Company will assist the Office of the Vice-Chancellor for Budget and Planning in analyzing the current Budget Reform Agreement with the Bureau of the Budget and developing guidelines and procedures for improving budget reform.

NO. 15. INTERIM NOTE AGREEMENT: RESOLVED, That the form and substance of the Interim Note Agreement dated _____ 1973 between the Board of Higher Education, the New York State Dormitory Authority and the City University Construction Fund is hereby approved. The Chairman of the Board of Higher Education of the City of New York is hereby authorized and directed to execute this Interim Note Agreement and to cause the seal of such Board to be affixed thereto. The Secretary of such Board is hereby authorized and directed to affix his signature thereto in attestation of such seal; and be it further

RESOLVED, That notwithstanding any other provision of this resolution, prior to the execution of this Interim Note Agreement, changes, insertions and omissions may be made to the Agreement as may be approved by the Chairman of the Board of Higher Education of the City of New York, and the execution by said Chairman of such Agreement containing such changes, insertions and omissions shall be conclusive evidence of such approval.

EXPLANATION: The Interim Note Agreement is an underlying financing agreement required to permit the Dormitory Authority to sell notes to initially finance various projects.

NO. 16. SUPPLEMENTAL INTERIM NOTE AGREEMENT NO. 1: RESOLVED, That the form and substance of Supplemental Interim Note Agreement No. 1, dated as of _____ 1973, supplementing the Interim Note Agreement dated _____ 1973, between the Board of Higher Education, the New York State Dormitory Authority and the City University Construction Fund is hereby approved. The Chairman of the Board of Higher Education of the City of New York is hereby authorized and directed to execute this Interim Note Agreement and to cause the seal of such Board to be affixed thereto. The Secretary of such Board is hereby authorized and directed to affix his signature thereto in attestation of such seal; and be it further

RESOLVED, That notwithstanding any other provision of this resolution, prior to the execution of this Supplemental Interim Note Agreement No. 1, changes, insertions and omissions may be made to the description of such items as hereinafter set forth as may be approved by the Chairman of the Board of Higher Education of the City of New York, and the execution by said Chairman of this Supplemental Interim Note Agreement No. 1 containing such items with such changes, insertions and omissions shall be conclusive evidence of such approval; and be it further

RESOLVED, That such items are as follows:

Note Facility:

Description: Kingsborough Community College, Site Development

Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York

Estimated Occupancy Date: October 1975

Estimated Cost: \$10,638,000

Architect: Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde

Note Facility:

Description: Kingsborough Community College, Science and Visual Arts Building
Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York
Estimated Occupancy Date: December 1974
Estimated Cost: \$10,090,000
Architect: Lundquist and Stonehill

Note Facility:

Description: Kingsborough Community College, Inner Colleges
Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York
Estimated Occupancy Date: April 1975
Estimated Cost: \$9,756,000
Architect: Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde

Note Facility:

Description: Kingsborough Community College, College Center
Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York
Estimated Occupancy Date: March 1975
Estimated Cost: \$8,832,000
Architect: Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde

Note Facility:

Description: Kingsborough Community College, Library and Media Center
Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York
Estimated Occupancy Date: April 1975
Estimated Cost: \$8,488,000
Architect: Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde

Note Facility:

Description: Kingsborough Community College, Gymnasium
Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York
Estimated Occupancy Date: February 1975
Estimated Cost: \$7,808,000
Architect: James S. Polshek

Note Facility:

Description: Kingsborough Community College, Service Building, Heating Plant and Site Utilities
Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York
Estimated Occupancy Date: August 1975
Estimated Cost: \$7,036,000
Architect: Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde

Note Facility:

Description: Kingsborough Community College, Administration Building and Theatre
Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York
Estimated Occupancy Date: May 1975
Estimated Cost: \$6,980,000
Architect: Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde

Note Facility:

Description: Kingsborough Community College, Seawall

Location: Manhattan Beach Campus of Kingsborough Community College, Brooklyn, New York

Estimated Occupancy Date: September 1974

Estimated Cost: \$2,278,000

Architect: Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde

Note Facility:

Description: LaGuardia Community College, Alterations to Ford Building Phase II

Location: 31-10 Thomson Avenue, Long Island City, Queens, New York

Estimated Occupancy Date: ay 1976

Estimated Cost: \$11,882,000

Architect: Gueron, Lepp and Associates

Note Facility:

Description: Borough of Manhattan Community College, Permanent Campus (including Foundation and Superstructure)

Location: West Street, North Moore Street, Greenwich Street and Chambers Street, New York, New York

Estimated Occupancy Date: June 1977

Estimated Cost: \$3,250,000 (planning and miscellaneous costs only)

Architect: Caudill, Rowlett, Scott

Note Facility:

Description: Queensborough Community College, Medical Arts Building and Alterations to Science Technology and Physical Education Building

Location: Campus of Queensborough Community College, 56th Avenue and Cloverdale Boulevard, Bayside, New York

Estimated Occupancy Date: September 1975

Estimated Cost: \$840,000 (planning and miscellaneous costs only)

Architect: Armand Bartos and Associates

Note Facility:

Description: Queensborough Community College, Administration and Business Building and Site Work

Location: Campus of Queensborough Community College, 56th Avenue and Cloverdale Boulevard, Bayside, New York

Estimated Occupancy Date: September 1975

Estimated Cost: \$280,000 (planning and miscellaneous costs only)

Architect: Percival Goodman and Associates

Note Facility:

Description: Queensborough Community College, Service Building and Power Plant New Equipment:

Location: Campus of Queensborough Community College, 56th Avenue and Cloverdale Boulevard, Bayside, New York

Estimated Occupancy Date: November 1974

Estimated Cost: \$100,000 (planning and miscellaneous costs only)

Architect: Armand Bartos and Associates

Note Facility:

Description: Staten Island Community College, Site Distribution Service Level, Addition to Science and Technology Building, Computer Center, Physical Education and Student Activities Building

Location: Campus of Staten Island Community College, Milford Drive and Ocean Terrace, Staten Island, New York

Estimated Occupancy Date: August 1977

Estimated Cost: \$1,200,000 (planning and miscellaneous costs only)

Architect: Max Urbahn and Associates, Inc.

Note Facility:

Description: Staten Island Community College, Theatre and Music Building, Library, Instructional Resource Center and Site Work

Location: Campus of Staten Island Community College, Milford Drive and Ocean Terrace, Staten Island, New York

Estimated Occupancy Date: August 1977

Estimated Cost: \$1,000,000 (planning and miscellaneous costs only)

Architect: John M. Johansen and Alexander Kousmanoff, Associated Architects

Note Facility:

Description: Staten Island Community College, Administration, Medical Technology, Science and Classroom Building

Location: Campus of Staten Island Community College, Milford Drive and Ocean Terrace, Staten Island, New York

Estimated Occupancy Date: August 1977

Estimated Cost: \$1,300,000 (planning and miscellaneous costs only)

Architect: Paul Rudolph

Note Facility:

Description: Staten Island Community College, Site Work and Parking Area

Location: Campus of Staten Island Community College, Milford Drive and Ocean Terrace, Staten Island, New York

Estimated Occupancy Date: November 1975

Estimated Cost: \$80,000 (planning miscellaneous costs only)

Architect: Max O. Urbahn and Associates, Inc.

Note Facility:

Description: Bronx Community College, Acquisition and Initial Renovation of former New York University University Heights Campus

Location: University Avenue, Bronx, New York

Estimated Occupancy Date: July 1973

Estimated Cost: \$77,000,000

Architect: To be selected

and be it further

RESOLVED, That the items hereinabove set forth are included in the Master Plan of the State University as approved by the Board of Regents and incorporated into the Regents Plan or general revision thereof for the

expansion and development of higher education in the State and as thereafter approved by the Governor, and that with respect to such items the appropriate reference thereto is as follows:

Facilities noted above for:

Kingsborough Community College
LaGuardia Community College
Queensborough Community College
Staten Island Community College

Included as an amendment to the 1968 Master Plan of the State University of New York as approved by the Regents on January 24, 1973 and the Governor on April 2, 1973.

Facilities noted above for:

Borough of Manhattan Community College

Included as an amendment to the 1968 Master Plan of the State University of New York as approved by the Regents on January 24, 1973 and the Governor on March 20, 1973.

Facilities noted above for:

Bronx Community College

Included as an amendment to the 1968 Master Plan of the State University of New York as approved by the Regents on April 27, 1973 and the Governor on 1973;

and be it further

RESOLVED, That the City University Construction Fund and the Dormitory Authority are hereby requested to approve such items as hereinabove set forth and to take appropriate action to authorize the execution of this Interim Supplemental Note Agreement; and be it further

RESOLVED, That this resolution shall take effect immediately.

EXPLANATION: The proposed Supplemental Interim Note Agreement No. 1 will provide for the issuance of short term notes by the Dormitory Authority for capital costs of various approved community college projects in an aggregate amount not to exceed \$168,838,000. Each of the listed projects has heretofore been approved by the Board of Higher Education and the City University Construction Fund and the amounts included for each project are in accord with "first instance" appropriations therefor included in the 1973-1974 State Budget.

Mr. Hayes asked to be recorded as abstaining.

At this point the Board went into Executive Session.

Upon motion duly made, seconded and carried, the meeting adjourned at 11:05 p.m.

MARGUERITE V. RICH
Acting Secretary of the Board