

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

HELD

NOVEMBER 26, 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
Frederick Burkhardt
Maria Josefa Canino
Alexander A. Delle Cese
Fileno DeNovellis
Jean-Louis d'Heilly
Frederick O'R. Hayes
Norman E. Henkin

Joseph J. Holzka
Robert Ross Johnson
James Oscar Lee
John A. Morsell
Jack I. Poses
Edward S. Reid
Barbara A. Thacher
Francisco Trilla
Eve Weiss
Nils Y. Wessell

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

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

President Herbert M. Sussman
Acting President Saul Touster
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 Mary P. Bass
Vice-Chancellor Timothy S. Healy
Vice-Chancellor J. Joseph Meng
Vice-Chancellor David Newton
Vice-Chancellor Frank J. Schultz

The absence of Ms. Ingersoll was excused.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Cal. Nos. 1 through 12)

NO. 1. BUDGET REQUEST 1974-1975: RESOLVED, That the Chancellor's Budget Request for 1974-1975 in the amount of \$628.0 million as approved by the Committee on Budget and Finance, be approved.

NOTE: A public hearing on the proposed budget was held on November 20, 1973.

(A complete copy of the Budget is on file with these minutes in the Office of the Secretary of the Board.)

NO. 2. COMMITTEE ON COLLECTIVE BARGAINING AND STAFF RELATIONS: RESOLVED, That the following resolutions approved by the Committee on Collective Bargaining and Staff Relations be adopted:

A. MEMORANDUM OF AGREEMENT RESPECTING PROCEDURES FOR ADMINISTRATION OF ARBITRATION AGREEMENT:

WHEREAS, The Board of Higher Education of the City of New York ("the Board") and the Professional Staff Congress/CUNY ("PSC") entered into an Interim Arbitration Agreement ("Interim Agreement") applicable to grievances arising after August 31, 1972, and filed prior to September 1, 1973; and

WHEREAS, Article 20 of the Agreement between the Board and the PSC dated October 1, 1973 ("73 Agreement") provides for the arbitration of certain disputes arising under the 73 Agreement under the conditions and in the manner therein set forth; and

WHEREAS, The parties desire to modify the Interim Agreement and to provide for the administration of Article 20 of the 73 Agreement in accordance with the procedures hereinafter set forth;

NOW, THEREFORE, it is agreed:

1. All grievances submitted for arbitration under the Interim Agreement and under the 73 Agreement shall be arbitrated in accordance with their respective terms, except as the same may be modified or supplemented by this Memorandum of Agreement.
2. The "Arbitration Panel" under the Interim Agreement in respect of all cases in which an Arbitrator has not, as of the date of this Memorandum of Agreement, been appointed by the American Arbitration Association, shall consist of the Arbitrators designated pursuant to Section 20.5 of the 73 Agreement as supplemented by paragraph "3" hereof.
3. The parties executed the 73 Agreement pursuant to an understanding that an additional Arbitrator, to be agreed upon between them, would be named as a Member of the Arbitration Tribunal Panel under Section 20.5 of that Agreement to bring the total membership of the Panel to seven. The parties have agreed upon Mark Kahn as the seventh Member of the Panel, and his name shall be deemed included in the listing of persons designated as Members of the Arbitration Tribunal Panel by the first sentence of Section 20.5 of the 73 Agreement.
4. The American Arbitration Association shall designate individual Arbitrators, who are Members of the Arbitration Tribunal Panel, to serve in particular cases submitted to arbitration in accordance with Section 20.5 of the 73 Agreement or in accordance with the Interim Agreement, and the designation and initial scheduling of such cases shall be in accordance with the following procedure:

Emanuel Stein shall be the Administrative Chairman of the Arbitration Tribunal Panel. The Chairman shall review all requests for arbitration, together with the grievances in Step 1 and Step 2 and the responses related thereto, and shall, in his discretion, determine and direct the American Arbitration Association in respect of the assignment and initial scheduling of particular cases for hearing before himself or any other single Member of the Panel. The Member of the Panel so designated shall be the sole Arbitrator for such case. In connection with said scheduling and assignment, the Chairman may require consultation with the parties' representatives as to the nature of the issues and relief sought and as to other matters related to the assignment or initial scheduling of cases for hearing. The Chairman may issue a Memorandum of such consultation for the guidance of the parties, the American Arbitration Association, and the designated Arbitrator, it being understood that the Chairman shall make no determination as to any issue of arbitrability or as to any other issue in the case, unless and until he is the assigned Arbitrator, and that the said Memorandum shall not constitute an Award nor be binding upon the designated Arbitrator or the parties.

5. This Memorandum shall become effective upon its execution by the Chancellor and Vice-Chancellor for Faculty and Staff Relations on behalf of the Board and by the President and Executive Director of the PSC on behalf of the PSC.

BOARD OF HIGHER EDUCATION
OF THE CITY OF NEW YORK

By _____, Chancellor
Vice-Chancellor for Faculty
and Staff Relations

PROFESSIONAL STAFF CONGRESS/CUNY

by _____, President
Executive Director

Dated: New York, N.Y.
October 31, 1973

B. CAFETERIA EMPLOYEES AGREEMENT:

RESOLVED, That the Agreement between the Board of Higher Education and Cafeteria Employees Union Local 302 for the period September 1, 1973 through August 31, 1976 be approved in principle.

EXPLANATION: The Agreement, reached after collective negotiations between the parties, provides increases in salary and fringe benefit contributions (Pension, Welfare, and Medical Contributions). The Agreement also provides a penalty for unauthorized Monday absences, more flexibility for bereavement leave, and a maintenance of work week hours. The Union has ratified the Agreement.

(A copy of the Highlights of the Agreement is on file with these minutes in the Office of the Secretary of the Board.)

C. COLLEGE ASSISTANT AGREEMENT:

RESOLVED, That the Agreement between the City of New York, the Board of Higher Education and Local 2054, District Council 37, A.F.S.C.M.E. for the title College Assistant for the period July 1, 1972 to June 30, 1975, be approved.

EXPLANATION: The Agreement provides salary adjustments, and adjustments in administrative practices with regard to hours of employment and leave. A reopening clause for certain fringe benefits enables the parties to review anticipated "City-Wide" developments in these areas as a basis for further negotiations. The Office of Labor Relations has requested that the Board join with the City as co-signatory to this Agreement.

(A copy of the Highlights of the Agreement is on file with these minutes in the Office of the Secretary of the Board.)

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

A. RENOVATION OF BASKERVILLE AND WINGATE HALLS--THE CITY COLLEGE:

RESOLVED, That the Board approve preliminary plans, outline specifications and preliminary cost estimate of \$2,855,400 (as of September 1973) for the Renovation of Baskerville and Wingate Halls at City College, as prepared by Hardy, Holzman, Pfeiffer, Architects and S.W. Brown, Consulting Engineers, Joint Venture; and be it further

RESOLVED, That the City University Construction Fund be requested to approve the aforesaid documents and to authorize the Dormitory Authority to proceed with the production of working drawings.

EXPLANATION: The antiquated laboratories and related facilities in Baskerville Hall are to be replaced by facilities for general academic use and for Department of Student Personnel Services. The obsolescent spaces in Wingate Gymnasium will be altered, repaired and refurbished to become a more useful component of the College Physical Education Facilities.

On April 24, 1972 (Cal. 5a), the Board authorized the employment of the indicated Architects and Engineers to prepare plans and specifications for the renovation work which was tentatively estimated at \$2,617,800 (February 1972).

The preliminary estimate of \$2,855,400 (September 1973) is based on completed preliminary plans and specifications for the work and indicates an average renovation cost of about \$36 per square foot in Baskerville Hall (\$1,966,750 divided by 55,346 gross square feet) and about \$19 per square foot in Wingate Hall (\$888,650 divided by 47,300 gross square feet).

The preliminary plans have been reviewed and approved by the College and University Office of Campus Planning and Development and approval of the Board is recommended in order that the Architect may proceed with the development of final plans and specifications for this work.

B. STRUCTURAL STEEL CONTRACT--THE CITY COLLEGE:

RESOLVED, That the Board approve contract drawings, specifications and cost estimate of \$5,671,470 (based upon a \$5,401,400 estimate as of December, 1973 plus a 5% bid contingency of \$270,070) for structural steel work, metal decking and steel stairs as part of the Construction of the North Academic Center of the City College, as prepared by John Carl Warnecke, Architects; and be it further

RESOLVED, That the City University Construction Fund be and is hereby requested to approve the said final plans, specifications and final construction cost estimate and to authorize the Dormitory Authority of the State of New York to invite bids and to award a contract for the work.

EXPLANATION: This work includes all the structural steel, metal decking and steel stairs for the North Academic Center. This package is the third phase of the construction of the North Academic Center which work is being scheduled on a "fast-tracked" basis. Previously approved and bid were contracts for the demolition of Lewisohn Stadium and for excavation and foundation work for the North Academic Center.

The final estimate for the structural steel work now considered is \$5,401,400 (December 1973).

The approved preliminary estimate for this phase of the work was \$4,313,000 (February 1973) to which had been added an estimated escalation amount of \$339,000 indicating an anticipated bid price of \$4,652,000. Added to the work during the development of final plans were (a) the exterior walls lintel system which had been previously included as a part of a later phase of construction (\$298,000) and (b) compliance with new rules for safety recently issued by the federal Occupational Safety Health Administration (\$120,050). The balance of the difference between the final and adjusted preliminary estimates, \$331,350, is attributable to a plan development which permitted a more detailed take-off of the steel required and the fact that the escalation of structural steel costs from February 1973 to the bid date is actually about 14%, rather than the 7.8% that had been assumed at this time of the preliminary estimate.

The Architect and the Construction Manager have advised that the outlook for structural steel is such that shortages and further cost escalation are anticipated and for that reason have recommended that (a) the bidding of this work be accelerated to permit contract award and placing of the mill orders before the January 1974 rolling and (b) an additional 5% bid contingency allowance be authorized to insure award of the contract in December. Inclusion of this allowance seems prudent and therefore approval of a total cost estimate of \$5,671,470 is recommended.

Although the cost of this phase of the work is estimated to be greater than originally anticipated, compensating adjustments in other phases of the construction have been effected and the total approved project cost limitation will be maintained.

The plans and specifications have been reviewed and approved by the College and the Office of Campus Planning and Development and approval of the Board is recommended.

C. ALTERATIONS, FIRST AND FOURTH FLOORS—RICHMOND COLLEGE:

RESOLVED, That the Board approve final plans, specifications and final estimate of construction cost of \$348,796 (including \$14,288 for escalation to a projected bid date of January 1974) for alterations to the First and Fourth Floors of Richmond College, 130 Stuyvesant Place, Staten Island, New York, as prepared by Holden/Yang/Raemsch/Terjesen, Architects; and be it further

RESOLVED, That the City University Construction Fund be and is hereby requested to approve the said final plans, specifications and final construction cost estimate and to authorize the Dormitory Authority of the State of New York to invite bids and to award contracts for the construction of said facilities.

EXPLANATION: On September 24, 1973 (Cal. No. 4C) the Board adopted a resolution approving preliminary plans, outline specifications and preliminary estimate of construction cost of \$334,508 (as of July 27, 1973).

The final cost estimate of \$348,796 escalated to January 1974, the estimated bid date, may be compared to the preliminary estimate of \$334,508 as follows:

Preliminary estimate of \$334,508 escalated to January 1974 totals \$345,308 plus \$3,515 of additional work added to scope as described below:

- a) Sprinklers required within the Audio-Visual Room \$1,315.00
- b) Added concrete fill at the First Floor Slab \$2,200.00

These plans have been reviewed and meet the approval of the College and the Office of Campus Planning and Development in all aspects of design and function.

D. ALTERATION WORK—HUNTER COLLEGE:

RESOLVED, That the Board approve Contract Drawings, Specifications and Cost Estimate of \$275,000.00 (based on a September 1973 Final Cost Estimate escalated to bid date January 15, 1974) for Alteration Work in an Existing Fire and Police Station in order to permit demolition of the rear yard structures of the Police and Fire Station to facilitate the initial construction work in connection with new Hunter College as designed by Ulrich Franzen and Associates in accordance with their contract with the Dormitory Authority of State of New York dated April 23, 1973; and be it further

RESOLVED, That the City University Construction Fund be requested to approve the aforesaid documents and authorize the Dormitory Authority, subject to obtaining any legal prerequisite approvals, to proceed with the Alteration Work.

EXPLANATION: This resolution authorizes alteration work in an Existing Police and Fire Station to permit demolition and clearing of ancillary police and fire structures located on a portion of the adjacent site on which new facilities for Hunter College will be constructed.

E. RENTAL OF TEMPORARY BUILDING—YORK COLLEGE:

RESOLVED, That the Board approve a contract for the rental of a 40,256 square foot temporary building to be located on the site of the future York College campus for a total of five years at an annual rental cost of \$298,800 (\$7.42/S.F.), chargeable to the appropriate tax levy code.

EXPLANATION: The proposed temporary building will provide 20 classrooms, 7 laboratories, 1 art studio, 1 cafeteria, and 16 faculty offices.

Contract documents for the rental of the temporary building were advertised by York College and eight bids were received on November 5, 1973. The bid was on an annual rental basis for five years with the college having a no cost purchase option after the fifth year.

F. LICENSE AGREEMENT—YORK COLLEGE:

RESOLVED, That the Board approve a license agreement with the Housing and Development Administration of the City of New York for the no cost rental of certain land situated in the York College Urban Renewal Area for use by York College; and be it further

RESOLVED, That the Board authorize the University Dean for Campus Planning and Development to execute said license agreement with the Housing and Development Administration of the City of New York for the aforementioned land subject to approval as to form by the General Counsel and Vice-Chancellor for Legal Affairs of the Board.

EXPLANATION: Use of the subject land is required by York College so that a temporary classroom, laboratory and office structure totaling 40,256 square feet may be constructed. Bids for the proposed temporary structure were taken on November 5, 1973 and a low bid of \$298,800 per year (\$7.42/S.F.) was received.

The term of the subject license agreement will expire when title to the above referred to property, which is to be the subject of a future Land Disposition Agreement to be entered into between the City of New York and the New York State Dormitory Authority, passes to the said New York State Dormitory Authority.

G. RENTAL OF SPACE—CENTRAL OFFICE:

RESOLVED, That the Board approve the month to month rental of 1,345 square feet of space at 507 East 80th Street for use by the Central Office of the Board of Higher Education; and be it further

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

EXPLANATION: The subject space will replace a similar amount of space rented in the basement of the subject building which must be vacated by December 14, 1973. This space will be required until permanent storage facilities can be located.

The Department of Real Estate has negotiated a lease for the subject premises on a month to month basis at a cost of \$3,000 per year (\$2.23/S.F.). The lease provides that the landlord will provide elevator service and provide heat and electricity for lighting. Landlord will have the right to cancel the lease upon thirty days written notice.

H. SHARING OF BUILDINGS, PROPOSED BUILDINGS AND GROUNDS AT PERKINS GARDENS:

RESOLVED, That the Board of Higher Education hereby authorizes negotiations to be entered into by and between City College, Wave Hill Incorporated, The City of New York, including the Department of Parks, Recreation and Cultural Affairs, and any and all other necessary parties, with a view toward entering into an agreement relating to the sharing of use of buildings, proposed buildings and grounds at Perkins Gardens, located in Riverdale, The Bronx, by and for the Oceanographic Institute and such other educational units of City University for activities, including oceanographic studies, within the purposes of Perkins Gardens as the same may be enlarged from time to time by the Perkins Gardens Trustees; and be it further

RESOLVED, That any and all proposed laws, local laws, home rule messages, Board of Estimate resolutions, and any and all other resolutions or submissions necessary to the accomplishment of such end be submitted to the appropriate bodies for their approval.

EXPLANATION: Perkins Gardens, located in Riverdale, was conveyed to The City of New York by private donors, and, pursuant to Section 532-14.1 of the Administrative Code of The City of New York, is now maintained and operated as an arboretum and Center for Environmental Studies by Wave Hill Incorporation, a not-for-profit corporation, which will continue. Such property,

and certain buildings thereon, are highly suitable for the Oceanographic Institute and other educational units of the City University, whose activities fall within the purposes of the Wave Hill Center for Environmental Studies. The present resolution would permit negotiations for and taking of legal steps necessary to the effectuation of the installation, operation and growth of the Institute by City College or other educational units of City University.

NO. 4. COMMITTEE ON THE ACADEMIC PROGRAM: RESOLVED, That the following actions approved by the Committee on the Academic Program be adopted:

A. ESTABLISHMENT OF A MODEL AND PREPARATORY SCHOOL—LaGUARDIA COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education of the City of New York establish and operate a model and preparatory school to be named the Middle College at LaGuardia Community College, effective September, 1974, subject to the approval of the State University Trustees and New York State Board of Regents and subject to reaching agreement with City and Board of Education authorities on financial arrangements.

RESOLVED, That the Master Plans of State University and The City University of New York be so amended.

EXPLANATION: The Middle College will offer an academic and career education program to under achieving students from the tenth grade of high school through the community college years in an innovative five year educational plan.

The program is designed to provide articulation from the high school to the college, to reduce the need for remediation at the college level and to motivate high school students towards higher education. One hundred twenty-five (125) students will be recruited from the western Queens area. The proposed maximum enrollment will be approximately 325.

In accordance with Section 6209 of the New York State Education Law which states that salaries "in any preparatory high school or model school (shall be the) same as those paid by the Board of Education of the same city to persons discharging like functions in similar schools under the jurisdiction of said board of education," personnel at the Middle College who are teaching below the college level will be employed in accordance with section 6209 of the New York State Education Law.

On October 24, 1972, the Board of Higher Education accepted a grant of \$95,000 from the Carnegie Foundation for the planning of a Middle College (Part G, Item G.1.2). The Middle College will be funded in its first year by a combination of City, State, and City University aid. The University's contribution to the operating costs is expected to be up to \$45,000 in the 1974-75 academic year, based on New York State—New York City formulae for funding special project high schools as projected in the Middle College program. According to the same formulae in the Middle College program. According to the same formulae the University's assistance is projected for only one year. Thereafter the Middle College is expected to be supported totally by State and City aid which will increase as student enrollment increases.

Mr. Henkin asked to be recorded as voting "No."

B. PROGRAM IN AFRO-AMERICAN STUDIES—YORK COLLEGE:

RESOLVED, That the program in Afro-American Studies leading to the B.A. degree, to be offered by York College, be approved effective February, 1974, subject to financial ability.

EXPLANATION: This program will provide students with an understanding of Black history, culture, and experience formerly unavailable in the traditional liberal arts education. A significant portion of the program is based on courses offered in other disciplines and departments, particularly in the social sciences and the humanities. The program was developed by a faculty-student committee and implements the policy on Black Studies adopted by the Board of Higher Education on December, 1970.

The implementation of this program involves two faculty appointments and a number of additional adjunct personnel. Considering the anticipated enrollment for the program, the cost per full-time equivalent student in this discipline compares most favorably with similar programs at other colleges. It is understood that the faculty costs will be absorbed as part of York College's workload allocation for 1973-74 and therefore included in its regular operating budget.

C. PROGRAM IN CHILD CARE—KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the program in Child Care leading to the A.A.S. degree to be offered by Kingsborough Community College be approved effective February, 1974 subject to financial ability and to the approval of the State University Trustees.

EXPLANATION: A program in Child Care was initiated by Kingsborough three years ago as a concentration in the Mental Health curriculum. Since then student demand for Child Care has increased considerably. In view of this and the urgent need for trained personnel to serve in pre-school programs in the metropolitan area, the college proposes to separate Child Care from the Mental Health program and to offer it as a full curriculum rather than as a concentration.

The program prepares students to seek employment in Child Care centers, Elementary Schools, and Headstart programs. It also prepares students for transfer into an upperdivision college and has been articulated with Brooklyn, Hunter, and City colleges.

This program involves no additional costs or additional faculty.

D. BRONX COMMUNITY COLLEGE ACADEMIC EVALUATION: Discussed in Executive Session.

E. CUNY BA DEGREE PROGRAM, ACADEMIC EVALUATION: Discussed in Executive Session.

NO. 5. COMMITTEE ON BUDGET AND FINANCE: RESOLVED, That the following item approved by the Committee on Budget and Finance be adopted:

A. PURCHASE OF LEARNING CENTER—THE GRADUATE SCHOOL AND UNIVERSITY CENTER: Item withdrawn.

B. PURCHASE OF FURNITURE AND EQUIPMENT—MEDGAR EVERS COLLEGE:

RESOLVED, That the Board of Higher Education authorize Medgar Evers College to advertise, receive and open bids and award contracts to the lowest responsible bidders for supplying equipment to furnish newly leased facilities at 402 Eastern Parkway, Brooklyn, N.Y., to estimated expenditure not exceeding \$136,000. chargeable to Code 42-5300-300-01-74 or such other funds as may be available, subject to financial ability; and be it further

RESOLVED, That the Mayor be requested to approve such expenditure.

EXPLANATION: Furniture and various types of educational equipment are required to furnish newly leased facilities at 402 Eastern Parkway which will accommodate the College Library, classrooms and offices of the college.

NO. 6. VOORHEES CAMPUS OF NEW YORK CITY COMMUNITY COLLEGE: RESOLVED, That the waiver of the Board of Higher Education bylaws for the Voorhees Campus of New York City Community College (6/21/71, Cal. 6(a)) be extended until December 31, 1974. The spirit of the bylaws shall continue to be observed by the President in performing the duties and requirements of this waiver.

EXPLANATION: Despite the progress which has been made during the first three years that Voorhees has been a branch campus of New York City Community College, the need for administrative organization and curriculum revision remains. It is the judgment of the President that the faculty who teach in the Voorhees Campus and the students enrolled in those curriculums which are unique to the Voorhees Campus would be best served by a continuation of the waiver.

NO. 6A. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for November 26, 1973 (including Addendum Items) be approved, as amended, as follows:

(a) All Actions requiring the approval of the Board's Committee on Expanded Educational Opportunity are laid over.

(b) The name of James T. Woodley, College Laboratory Technician C, Hunter College, is withdrawn from the list of early tenure. A bylaw waiver is required.

(c) Item G.1.3. Establishment of the Hunter College Auxiliary Services Corporation—Withdrawn at the request of the Committee on Law.

(d) Items listed in Part H—Errata, to be withdrawn or changed, as indicated.

Mr. d'Heilly asked to be recorded as voting "No."

Mr. Ashe and Mr. Henkin asked to be recorded as voting "No" on Item A-1.4.1. as it applies to Marilyn Gittell's designation as Assistant Vice-President and Associate Provost at Brooklyn College.

NO. 7. UNIVERSITY REPORT: The Chancellor presented his oral report on matters of Board and University interest:

My report is fairly brief in the number of items. I don't know how brief it will be in the discussion of those items.

There are four matters I wanted to talk to you about. You recall that about six weeks ago the Citizens' Budget Commission came out with a report dealing with the workloads of ten departments at City College in which it drew invidious comparisons with the workloads at other institutions. This report was a bit of a disappointment to us for several reasons. First, the Citizens' Budget Commission had come to us and evidenced their interest in doing this kind of a study and asked our cooperation. They met with the Deputy Chancellor at some length and he put them in touch with City College, and there was also considerable discussion and an expression of willingness to cooperate. Both Dr. Hyman and Dr. Kaplan at City College were assured that when the study was finished, it would be discussed with them so that any errors of fact could be discovered. This was not done.

More importantly, however, we felt that there were various errors in the format of the evidence and in the interpretation of what information they had as well as some question as to whether they were comparing comparable things. For example, they were comparing precise information about ten City College departments with information that was much less rigorously precise at other institutions. The statement on teaching loads at N.Y.U. was derived from a faculty handbook statement rather than an analysis of what the loads in fact were.

We evidenced our concern in a public statement. I had a request from Mr. O'Connor to meet with me and I arranged for such a meeting. The Citizens' Budget Commission took the position that they thought they were helping us. There was pressure on us by the union to reduce teaching loads and they were putting weight on the other side of the scale. I thanked them but told them that they had not dealt with considerations that were most on the mind of the City University. Mr. O'Connor agreed that they would try to correct an erroneous impression and would try to bring the report more into line with what they had intended to do. The problem is that once these things go into the press, they are not retrievable. Mr. O'Connor seemed to be embarrassed by the fact that his staff had not checked back with us and also by the emphasis placed on segments of the report in the press. There will be exchange of correspondence in which we will try to get the record straight. How it will work out I don't know.

A minor item is that we have gotten two major bids on college facilities which were lower than the estimated cost. One was on the excavation and foundation work at City College—a \$3.5 million contract which came in about \$150,000 below estimate. The Kingsborough Theatre and Arts Complex which had an estimated cost of \$8.5 million came in at \$6.7 million. There were fourteen bidders on the Kingsborough project, and three came in below the estimated cost. The most encouraging thing is that we are getting real movement in the construction of the University, which is evidenced by the fact that the State and City expenditure for the amortization of our bond issue will double next year. I think this is going to be one of the most significant years in the construction of the University. Hopefully, we will begin to see some end to the abysmal conditions under which we have been living.

The third item I had wanted to talk about was a meeting I had attended in Denver of the National Association of State Universities and Land Grant Colleges. There was a lot of activity and concern about recent efforts such as the Carnegie Commission Report and the CED Report that urge significant increases in tuition at public institutions. Such raises, it is argued, would tend to lessen the gap between public and private colleges and to help support scholarship programs that would be beneficial to private institutions. We have taken the position that we support the idea of programs to help students attending private institutions through scholarships and grants. We do not believe, however, that this should be paid for by a users' tax on students attending public institutions. At the Denver meeting I proposed a nationwide effort to seek free tuition at ALL public colleges and argued that the tuition gap be dealt with as a separate issue. I think the public tuition question is going to be one of the major issues in education this year. You will hear and see a lot more of it in the press over the next few months. We do not see it as a significant issue in the upcoming Legislature where we understand the major emphasis will be on scholarship programs.

The fourth and final point in my report deals with the location of Baruch College. You may remember seeing in the Saturday Times a story about the Baruch College site. That issue has been a long-standing one. About a year and a half ago the Board adopted a resolution which would amend the Master Plan by repealing its decision of five years earlier to build Baruch College in Brooklyn. The reason for this action was that because this construction necessitated the approval of so many agencies that it had become impossible to build at the Brooklyn site, and if we did eventually build, it would cost a premium of about \$28 million. That resolution went to the Regents, and as a result of a series of objections principally by N.Y.U. and Pace, the Regents directed a Commissioner's hearing which was held a year ago in New York City. The impression we got from the Commissioner and Deputy Commissioner at that time was that if the Regents were to act at that moment they would either act negatively or force the college to build north on 14th Street. At the same time we were anxious not to get the Baruch College matter into the political arena.

Shortly after the Board passed its resolution it became apparent that an excellent facility was available at 2 New York Plaza. There were a series of investigations made into that building, and it was discovered that the building could adequately and readily accept the college programs, and there ensued some discussions with the owners on the price. This went on during the spring and summer prior to the current year.

Last January the City Planning Commissioner, Mr. Elliott, came to me and reported that the Planning Commission would like to suggest an alternative site at the Atlantic Terminal in Brooklyn: a hard ground site of ten acres. I discussed this with the president of the college, then with the chairman of the Campus Planning and Development Committee and finally with the entire committee.

The Brooklyn political people began to press for the relocation of the college in Brooklyn at the new site. During the summer I met with these political figures and told them it was my belief that the Board decision was a sound one, a good one. It would take Baruch College less than two years to move into the already completed facilities at 2 New York Plaza. The estimated cost of purchasing that building plus the renovations would cost considerably less than the erection of a campus on the Brooklyn site. This was due to the fact that the building in Manhattan was already up and had been built with 1970 dollars. A new building would be built with 1977 or 1978 dollars.

Added to that, it would mean another ten years without adequate facilities for students and faculty if we built in Brooklyn. They understood our position although they disagreed with the idea that the college should be any place but in Brooklyn. They accepted my proposal that we ask the Regents to make a decision, and if they act positively, we then ask the Governor to make a decision. They accepted this proposal because they felt that at the Regents' or the Governor's level, they could stop what we wanted to do. They felt as I did that it should go through the normal channels. That is what is happening.

Several Weeks ago, a committee of distinguished Baruch College alumni released a report in which they recommended the downtown site. The article in the Times noted the fact that the report had been released. The Times reporter called me in my office on Friday and spoke to me. That is the genesis of the story.

As most of you are aware, a good friend of the University, Dr. Arthur Logan, died yesterday morning, and I think that his contributions to the University in very difficult times are of a nature that would call for this Board to take some formal note of his passing, and I have a resolution for adoption (See Calendar No. 11).

NO. 8. GENERAL DISCUSSION: (a) Mr. Berman discussed the SEEK Program, the presidents' responsibility with respect to the program, and the granting of Certificates of Continuous Employment to members of the SEEK faculty.

The Chancellor was requested to place the matter on the next agenda of the Council of Presidents.

Dr. Lee requested that, in addition to the SEEK Program, equal care be taken in the tenure process.

(b) Mr. Henkin discussed the recent disturbance regarding the appearance of Dr. William Shockley at Staten Island Community College.

Motion made, seconded and lost establishing a Board policy whereby willful interference with the conduct of any academic exercise or with the exercise of free speech on any campus of the City University by any faculty member shall be deemed to be conduct unbecoming a member of the faculty.

Motion made, seconded and carried, commending President Birenbaum on the handling of the appearance of Dr. William Shockley at Staten Island Community College.

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

- (a) Establishment of new staff titles for The City College Center for Bio-Medical Education;
- (b) Establishment of the title Higher Education Intern.

NO. 10. AMENDMENT OF MINUTES--TENURE POLICY: RESOLVED, That the administrative guidelines for tenure approved by the Board at its meeting of October 29, 1973, Calendar No. 1, be amended as follows:

1. A five year tenure plan (1973-78) will be prepared for each department (or division) within the University. This plan will include full information on the current tenure status of the department, its current and projected credit generation, its plans for recruitment, its plans for the granting of tenure, and its estimates of retirement and resignations which can be expected over the five year period. Ideally each plan should map out the departments' efforts to keep itself within reasonable tenure limits over the five year period while still striving to enhance the quality of its recruitment.

Long ago as 1970, the University Faculty Senate underlined the necessity of such departmental plans, and this suggestion of the Faculty Senate was picked up by the Board of Higher Education in the governance document it enacted in the year 1972. It also is a matter of simple applied common sense that the first step in implementing the Board's resolution is careful planning on the departmental level. These plans should be developed and

coordinated by the presidents of the individual colleges and available to the Chancellor by the [first of January, 1974]first of March, 1974.

EXPLANATION: The later date has been requested by the Council of Presidents in order to allow each college ample time to prepare a plan in appropriate detail. The new date still, however, allows ample time for the Chancellor and the presidents to be able to discuss tenure actions scheduled for the fall of 1974.

NOTE: Matter in [brackets]to be deleted, matter in **bold type** to be added.

NO. 11. RESOLUTION OF REGRET: WHEREAS, Arthur Logan, distinguished citizen of New York, surgeon and scholar, was a great and good friend of The City University of New York; and

WHEREAS, More than most, he understood the University's mission and did not spare himself to help advance that mission; and

WHEREAS, He was in the vanguard of those who provided community input to the University's fledgling SEEK program and remained a member of the Advisory Council to that program until his death; and

WHEREAS, As one of the peacemakers who came forward to seek just and lasting solutions to the problems confronting the University in the late 1960's, Dr. Logan quietly and effectively emphasized the essential compatability between Open Admissions and the enhancement of academic quality; and

WHEREAS, He was a valued counselor to The City College in the planning of its bio-medical program; therefore be it

RESOLVED, That in marking Arthur Logan's tragic passing, it would be fitting for those of us who admired this great man to reaffirm our commitment to implement the goals he helped set for the University as a member of the Citizens' Commission on the Future of The City University of New York and that his lasting memorial should be a better educated citizenry of the City he loved.

NO. 12. MEMORIAL AND RESOLUTION MARKING THE DEATH OF ORDWAY TEAD: As a Member of the Board of Higher Education for 27 years from 1937 to 1964, Ordway Tead performed extraordinary public service on behalf of this City and its youth. Soon after his appointment to the Board, his talent for leadership was given broad scope by his election as Chairman, a position he held for 15 years, from 1938 to 1953. The character of The City University of New York today owes much to the decisions made and questions raised and considered during this definitive period.

Under his leadership, campus governance was democratized by the adoption of new bylaws creating a Faculty Council on each campus and codifying faculty responsibilities; a tenure policy was adopted; the Ph.D. was established as a qualification for appointment as instructor; and the proportion of teachers in ranks above instructor was increased from 36% to 60%—all measures aimed at enhancing institutional quality.

He stimulated college efforts to improve student services, strengthen general education, expand interdisciplinary study, and enhance theoretical learning with field work.

In order to efficiently implement Board action, he urged the appointment of the Board's first administrative officer and encouraged the development of staff services which laid the groundwork for present central University functions.

During his Chairmanship, an Administrative Council of presidents was created to coordinate the activities of the municipal colleges and represent the system with state and city educational authorities. The appointment of a Chancellor as the chief administrative and educational officer of the system was proposed and its feasibility studied, leading, in 1955, to initial approval of the creation of the office.

He led the Board when it initiated efforts to obtain state financial assistance for the municipal colleges and, in 1948, achieved a formula for aid to teacher education, constituting the State's first recognition of its responsibility for the fiscal support of public higher education in New York City.

Under his leadership discussions were begun concerning the proper nature and development of two-year institutions within the City, eventually leading to the founding of the first of CUNY's community colleges in 1955.

His distinction as author, publisher, and educator extended his influence beyond this community and, in turn, helped to focus national attention upon New York City's colleges and attract gifted educators to its staff.

His enthusiasm and ability to elicit concerned effort by Board members and presidents was instrumental in fostering new ideas and sound educational practice, in spite of limited fiscal resources.

For all of these reasons, be it

RESOLVED, That the Board of Higher Education declare its high regard for the achievements of Ordway Tead whose devotion to public service did so much to create The City University of New York as we know it and that the members of this Board extend their heartfelt sympathy to his family.

At this point the Board went into Executive Session.

Upon motion duly made, seconded, and carried, the meeting adjourned at 10:20 p.m.

N. MICHAEL CARFORA
Secretary of the Board