

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

HELD

MARCH 25, 1974

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

The Chairman called the meeting to order at 4:55 p.m.

There were present:

**Alfred A. Giardino, Chairman
Franklin H. Williams, Vice-Chairman**

**Francesco Cantarella
Vincent R. FitzPatrick
Gurston D. Goldin
Rita E. Hauser**

**Harold M. Jacobs
James P. Murphy
Vinia R. Quinones**

N. Michael Carfora, Secretary of the Board

**Chancellor Robert J. Kibbee
President Milton G. Bassin
President James A. Colston
President Candido 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
President Harold M. Proshansky
President Donald H. Riddle
Acting President Saul Touster
President Joseph Shenker**

**President Herbert M. Sussman
President Richard D. Trent
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor Nathan Weiner
Mr. Jay Hershenson
Deputy Chancellor Seymour C. Hyman
Acting Vice-Chancellor Allen B. Ballard, Jr.
Vice-Chancellor Mary P. Bass
Vice-Chancellor Julius C.C. Edelstein
Vice-Chancellor J. Joseph Meng
Vice-Chancellor David Newton
Vice-Chancellor Peter S. Spiridon
Mr. Arthur H. Kahn**

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 8)

NO. 1. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for March 25, 1974 (including Addendum Items) be approved, as amended, as follows:

(a) PART AA - Personnel Matters Involving Waiver of the Bylaws - Laid over for referral to the appropriate Board Committee.

(b) All SEEK recommendations laid over at the request of Dean Young.

(c) Items listed in Part H-ERRATA, to be withdrawn or changed, as indicated.

NO. 1A. PROCEDURES FOR THE CHANCELLOR'S REPORT: The Chairman commented about the applications pending before the Board for waiver of the bylaws and retroactive salary increases. He pointed out that retroactive increases that go back for many months create problems. He stated that as a general rule it is the desire of the Board of Higher Education that procedures for the Chancellor's Report be streamlined and systematized so that no effective dates for salary adjustments or contracts be designated prior to the date on which the Board acts, except in extreme circumstances. As a broad and general policy, the salary increases should go with the appointment and not with the recommendation for appointment that may precede it by many months.

NO. 2. CAMPUS PLANNING AND DEVELOPMENT: RESOLVED, That the following resolutions presented by the Vice-Chancellor for Campus Planning and Development be adopted.

A. HUNTER COLLEGE COMPLEX:

RESOLVED, That an Agreement by and among the Dormitory Authority of the State of New York, the City of New York, the Board of Higher Education in the City of New York and the City University Construction Fund, which provides for procedures to be followed by the above-named parties with respect to (a) the acquisition by the Dormitory Authority of a site on which will be constructed a facility for Hunter College and (b) with respect to the design, construction, furnishing and equipping by the Dormitory Authority of a police station and fire station for the Police and Fire Departments of the City of New York, be and it is hereby approved; and the Chairman of the Board of Higher Education is hereby authorized and directed to execute such Agreement and to cause the seal of such Board to be affixed thereto; and the Secretary of the Board of Higher Education 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 such Agreement, changes, insertions and omissions may be made thereto as may be approved by the Chairman of the Board of Higher Education, and the execution of said Chairman of such Agreement containing such changes, insertions and omissions, and the attestation by said Secretary, shall be conclusive evidence of such approval.

EXPLANATION: This agreement will permit the Dormitory Authority to construct, as an agent for the City of New York, a new Police Station and Firehouse to replace existing police and fire facilities on the north side of East 67th Street between Lexington and Third Avenues in connection with the construction of the adjacent new Hunter College building complex. The agreement provides for cost of the new police and fire facilities to be financed through the City Capital Budget. It further provides for the conveyance from the City to the Dormitory Authority of the sites on which the new Hunter College facilities will be constructed.

B. SITE "B" - HUNTER COLLEGE:

RESOLVED, That the Board approve final plans, specifications, and final estimates of cost in amount of \$5,617,600 for excavation and foundation work and related site work on the Site "B" of the proposed new Hunter College Complex as prepared by Ulrich Franzen and Associates; and be it further

RESOLVED, That the City University Construction Fund be requested to approve the aforesaid documents and authorize the Dormitory Authority of the State of New York to invite bids and to award contracts for the aforesaid work.

EXPLANATION: On February 25, 1974, Calendar No. 2.H, the Board of Higher Education adopted a resolution approving Preliminary Plans, Outline Specifications, and Preliminary Estimate of Cost for Buildings on Sites "B" and "C".

This excavation and foundation work for Site "B" is the first phase in the fast-tracked construction of the 19 story building which will contain a Gym, Dining Facilities, Lecture Halls, Faculty Offices, Student Union Facilities, Classroom and Ancillary Facilities.

The cost of this work for which approval is now requested totalled \$4,611,000 (as of September 1973 Preliminary Design Estimate). This preliminary estimate if escalated to bid date of July 1974 would indicate a cost of \$5,355,000.

The architects presented a final escalated cost estimate of \$5,385,600 to bid date of July 1974. To this cost of \$5,385,600 is added \$232,000 for partial tunnel construction which is being included in this phase of construction for better coordination. The total final estimate of cost for this package therefore is \$5,617,600. Adjustments in later contract packages will be made to maintain the overall approved project cost limitation.

The plans have been reviewed and accepted by the College and the University Office of Campus Planning and Development. It is recommended that the final plans, etc. be accepted and authorization to invite bids and to award contracts for the construction be granted.

C. CONSTRUCTION AND INSTALLATION OF NEW PHYSICS AND ASTRONOMY LABORATORIES - HUNTER COLLEGE:

RESOLVED, That the Board approve final contract documents, specifications and plans, and authorize the Business Manager of Hunter College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for the construction and installation of new Physics and Astronomy Laboratories in Hunter College, 695 Park Avenue, Manhattan, at an estimated cost of \$127,000.00 chargeable to budget code 042-4400-408-01-74, Repairs—General, or other such funds subject to financial ability; and be it further

RESOLVED, That the Director of the Budget be and is hereby requested to approve said contract documents and specifications with a cost limitation of \$133,350.00 which includes 5% for contingencies.

EXPLANATION: The first group of graduate and research laboratories was developed in accordance with the Hunter College Campus Master Plan approved by the Governor in Albany in November, 1970. The mechanical equipment and ductwork has been designed to provide air conditioning for the next group of laboratories to follow.

The area occupied by this project, including the condensing unit, is 2135 square feet. The cost per square foot, based upon the estimated construction cost, excluding equipment, is \$53.00. Considering that there is provision for future air conditioning, that this layout is compact, and that this project is of the greatest complexity, this expenditure is considered reasonable.

D. COMPLEX II - HERBERT H. LEHMAN COLLEGE:

RESOLVED, That the Board approve final plans, specifications, final estimates of construction cost in the amount of \$12,005,500 (based on a \$11,599,528 final estimated cost as of November, 1973, plus an estimated escalation of \$405,972 to projected bid date of April, 1974) for the construction of Complex II consisting of an Auditorium, Library and related Site Construction and Utilities at Herbert H. Lehman College, Bronx, New York as prepared by Todd/Pokorny, Architects, in accord with their contract with the Dormitory Authority of the State of New York, dated February 26, 1971; and be it further

RESOLVED, That the City University Construction Fund be requested to approve said final plans, etc., and to authorize the Dormitory Authority of the State of New York, subject to the receipt of all necessary prerequisite approvals, to invite bids and to award contracts for the construction of said facilities.

EXPLANATION: On November 27, 1972 Calendar No. 5(c), the Board of Higher Education adopted a resolution approving preliminary plans, outline specifications and preliminary estimate of construction cost (as of October, 1972) of \$27,815,352 for the following buildings and site work at Lehman College, Bronx, New York:

- Student Hall Renovation with Cafeteria Addition (Food Services)
- Central Plant
- Speech/Theater
- Auditorium
- Library
- Site Construction and Planting
- Site Utilities

For the purpose of expediting construction and obtaining maximum bidding competition the total project was separated into three construction packages to be phased and bid separately.

Heretofore the Board approved final plans, etc. for Complex I (Student Hall Renovations with Cafeteria Addition, Central Plant, Speech/Theater) and contracts for this construction are currently being advertised for bid.

The cost of Complex II, Auditorium, Library and related site and utility work for which approval is now requested totalled \$10,915,884 (as of October, 1972, Preliminary Design estimate). This preliminary estimate if escalated by a factor of 1.128* would produce a cost of \$12,313,117 to bid date of April, 1974.

The Architects presented a final cost estimate (as of November 1973) of \$11,599,528 which when escalated by a factor of 1.035* would indicate a cost of \$12,005,500 as of April, 1974, which is below the approved escalated preliminary estimate.

The plans have been reviewed and accepted by the College and the University Office of Campus Planning and Development.

It is recommended that the final plans, etc. be accepted and authorization to invite bids and to award contracts for the construction of these facilities be granted.

*Turner Cost Index of First Quarter 1974.

E. RENTAL OF TEMPORARY BUILDING - HERBERT H. LEHMAN COLLEGE:

RESOLVED, That the Board approve the contract documents and specifications and authorize Lehman College to advertise for, receive and open bids for the rental, on a lease/purchase basis, of a 25,000 gross square foot temporary building for a five-year period at an estimated annual rental cost not to exceed \$225,000 (\$9.00 per square foot), chargeable to the appropriate tax levy code; and be it further

RESOLVED, That the Director of the Budget be requested to authorize Lehman College to receive and open bids for the aforementioned temporary building.

EXPLANATION: The implementation of the Lehman College Facilities Master Plan necessitates the need for approximately 25,000 gross square feet of highly flexible on-campus office space. During construction, various functions and personnel will be dislocated from both Schuster Hall and Student Hall and will require temporary quarters. The proposed temporary facility will be designed to permit flexibility of use with easy conversion to instructional space possible when dislocated functions are returned to their former locations.

Bids for the lease/purchase of the proposed temporary building will be based on an annual rental for a five year period with a no cost purchase option at the expiration of the five year rental period.

F. RENTAL OF TRAILERS - KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Board approve contract documents and specifications and authorize Kingsborough Community College to advertise for, receive and open bids and award a contract to the lowest responsible bidder, for the rental of eight trailers (including placement, related site work, provisions for electrical service and removal) containing a total of approximately 5,376 square feet for a minimum period of twenty-two months at an estimated cost of \$67,520 (\$6.85/S.F./yr.) with an option to extend the rental of one or more trailers on a month to month basis at a cost of \$255 per trailer per month (\$4.40 per s.f. per year); and be it further

RESOLVED, That the Director of the Budget be requested to authorize Kingsborough Community College to receive and open bids for the aforementioned trailers.

EXPLANATION: These trailers will provide Kingsborough Community College with twelve additional classrooms and will enable the college to vacate 56,076 square feet of space presently rented at 60 West End Avenue. The subject trailers will be located on the Kingsborough Community College campus and will in no way interfere with the implementation of the college's facilities master plan.

G. PERMIT AGREEMENT - PIERS AND BULKHEADS - KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Board approve the permit of the Corps of Engineers, Department of the Army, issued pursuant to Section 10 of the Act of Congress approved March 3, 1899 (33 U.S.C. Sec.403) whereby the Board of Higher Education shall undertake the repair of existing bulkheads, construction of pier and other related work in Sheepshead Bay, Jamaica Bay, on behalf of Kingsborough Community College; and be it further

RESOLVED, That the Secretary of the Board be authorized to execute the aforesaid permit on behalf of the Board and City University of New York, subject to approval as to form by the General Counsel.

EXPLANATION: In accordance with the Master Plan and the construction plans for the development of the Kingsborough Community College Campus, application has been made to the United States Department of the Army, Corps of Engineers, having jurisdiction for the permit to make necessary repairs to the existing bulkheads, place rip-rap, construct a pier, install floats and piles, and to dredge in Sheepshead Bay, Jamaica Bay, and the Atlantic Ocean, at Kingsborough Community College, Borough of Brooklyn, City of New York. The Corps of Engineers requires execution of the permit document on behalf of the Board with assumption of the terms and conditions therein.

H. SELECTION OF ARCHITECTS - BARUCH COLLEGE:

RESOLVED, That the Board approve the selection of Kahn and Jacobs/Hellmuth, Obata and Kassabaum as Architects for initial planning and related work in connection with the construction of a new campus for Baruch College in the Atlantic Terminal Urban Renewal Area in Brooklyn; and be it further

RESOLVED, That the City University Construction Fund authorize the Dormitory Authority of the State of New York to retain the indicated architects.

EXPLANATION: A new Baruch College campus containing 674,670 net square feet of space is planned for the approximately 13 acre site designated for that purpose in the Atlantic Terminal Urban Renewal Area. Architectural and related services are required to assist the College and University in the initial phase of the campus design.

The indicated architects were selected in accordance with the procedures developed with the Board's Architectural Advisory Committee.

Note: A number of architectural firms have been considered by the College and the University Office of Campus Planning and Development for this commission. It is anticipated that a final recommendation will be made by March 18, 1974. In order to calendar this resolution for the March 25, 1974 agenda of the Board, this resolution is submitted without a firm name indicated. The Trustees will be advised of the nomination no later than March 18, 1974.

I. SUPPLEMENTAL NOTE AGREEMENT NO. 4.:

RESOLVED, That the form and substance of Supplemental Interim Note Agreement No. 4 (Senior and Community College Issue) dated as of March 19, 1974, among 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 Supplemental Interim Note Agreement No. 4 by the Chairman and attested by the Secretary shall be conclusive evidence of approval.

EXPLANATION: The approval and execution of Supplemental Note Agreement No. 4 to the June 20, 1973 Interim Note Agreement among the Board, the Authority and the Fund will permit adjustment of the estimated costs of the various Note Facilities for Kingsborough Community College to reflect the construction bids received for the various projects. The adjustments are in accordance with prior approvals of the Board and Fund and the approved aggregate \$71.9 million cost of the Kingsborough projects has been maintained.

J. RENTAL OF SPACE - NEW YORK CITY COMMUNITY COLLEGE:

RESOLVED, That the Board approve the rental of 43,900 gross square feet of space at 246 Jay Street, Brooklyn, New York, the former St. James Pro-Cathedral Grammar School, for use by New York City Community College; and be it further

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

EXPLANATION: The space will provide twelve (12) classrooms, one (1) auditorium and five (5) administrative offices. This space is required to permit relocation of instructional and administrative functions from present facilities that will have to be vacated due to the implementation of the New York City Community College Facilities Master Plan.

The Department of Real Estate has negotiated a lease for the subject premises for a five year period with two one-year options available at an annual rental cost of \$125,000 (\$2.85/G.S.F.). The lease is on a net/net basis with the college responsible for all operating costs and real estate taxes. The landlord will be responsible for structural repairs and maintenance.

NO. 3. BUDGET AND PLANNING: RESOLVED, That the following resolutions presented by the Vice-Chancellor for Budget and Planning be adopted.

A. LICENSE AGREEMENT - THE CITY COLLEGE WITH MOUNT SINAI:

RESOLVED, That the Board of Higher Education approve the contract documents and expenditure and authorize The City College to enter into a license agreement with Mount Sinai Hospital, (not-for-profit corporation) incorporated under the laws of the State of New York, pursuant to which said corporation shall provide such space, equipment and facilities of the hospital for use by The City College School of Nursing, for the

period commencing retroactive from February 1, 1972 - January 30, 1975, with the option to renew this agreement on a requirement basis at the discretion of the College commencing February 1, 1975 - June 30, 1975 on the same terms and conditions, subject to cancellation 60 days prior to termination. Payment for retroactive and current facilities, space, and equipment shall be at the rate of \$7.00 per square foot in accordance with the schedule as set forth below. Accounting for space allocation shall be certified for exclusive use by The City College School of Nursing.

The costs related to this agreement are as follows:

Schedule and Charges

Facilities	Rate	Period	Charge per Annum
2499 sq. ft.	@ \$7.00 per sq. ft.	2/1/72-6/30/72	\$ 17,493
9085 sq. ft.	@ \$ 7.00 per sq. ft.	7/1/72-6/30/73	\$ 63,595
8249 sq. ft.	@ \$7.00 per sq. ft.	7/1/73-6/30/74	\$ 57,743
			\$138,831
8249 sq. ft.	@ \$7.00 per sq. ft.	7/1/74-1/30/75	\$ 33,683
		Total	\$172,514

Option Renewal - (Estimated)

8249 sq. ft.	@ \$7.00 per sq. ft.	2/1/75-6/30/75	\$ 24,059
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The expense codes to be charged reflecting a uniform reduction of the total amount owed under the current agreement from the present through the expiration of the contract (optional renewal period excluded) are as follows:

\$ 38,336.44 - 042-4300-703-01-74
 \$134,177.56 - 042-4300-703-01-75

and be it further

RESOLVED, That the Mayor be requested to authorize and approve the required expenditure for the proposed agreement. (See also Cal. No. 2(b), 4-4/20/64; and be it further

RESOLVED, That upon approval by the Mayor, the Board of Estimate be requested to approve the award of said contract without public letting to Mount Sinai Hospital (not-for-profit corporation).

EXPLANATION: This resolution is made in order to implement an agreement of January 1, 1969 entered into by the Board of Higher Education on behalf of The City College and The Mount Sinai School of Medicine and The Mount Sinai School of Nursing, whereas said agreement read in part as follows:

Teaching, conference and demonstration rooms, and library and other appropriate facilities within the Hospital and School of Nursing necessary for the proper conduct of the clinical education program shall be provided by each. Such rooms shall be available at the times essential for effective instruction and in accordance with a schedule jointly reviewed and approved by the Hospital and the College. The Hospital shall also furnish any available space, equipment and facilities, as may be required for the Dean's office, faculty offices and administrative staff. The aforementioned facilities, space and equipment shall be provided to the College at no cost to the College during the 1969-1970 budget year and thereafter discussion will take place between all the parties to this agreement to determine what, if any, cost should be reimbursed by the College; and

Whereas, pursuant to such agreement such space, equipment and facilities have been made available to the College by the Hospital without charge during the 1969-1970 year and during subsequent periods; and

Whereas, discussions have now taken place between all of the parties to this agreement to determine what costs should be reimbursed by the College for the license which the Hospital continues to grant to the College; and

Whereas, in consideration of the above, the parties have agreed that the College shall be permitted to use the same space, equipment and facilities of the Hospital heretofore used by it pursuant to the license, at the rate stipulated heretofore retroactive from the date indicated.

B. RENEWAL OF CHARTER OF VESSEL - OCEANOGRAPHY PROGRAM - THE CITY COLLEGE

RESOLVED, That the Board of Higher Education approve the expenditure for renewal of existing contract No. 210589 with Hydrossearch, Inc., Worldwide Charter Vessels, 114 Kercheval Avenue, Grosse Pointe, Michigan, for the Oceanography Program, University Institute of Oceanography, The City College, in accordance with terms and conditions of renewal as set forth in said documents for the period commencing July 1, 1974 through June 30, 1976 for a total of 24 months in the estimated amount of \$150,880.00 for each of the 12 month periods, total amount of \$301,760.00 for the contract period of 24 months, subject to financial ability, chargeable as follows:

Amount	Code	Budget Year
\$131,880.00	042-4300-412-01-75 - Rental of Equipment (Spec.)	1975
12,000.00	042-4300-109-01-75 - Fuel Supplies	1975
7,000.00	042-4300-110-01-75 - Food & Forage Supplies	1975
131,880.00	042-4300-412-01-76 - Rental of Equipment (Spec.)	1976
12,000.00	042-4300-109-01-76 - Fuel Supplies	1976
7,000.00	042-4300-110-01-76 - Food & Forage Supplies	1976

and be it further

RESOLVED, That the Mayor be requested to approve and authorize the expenditure of \$301,760.00 for the proposed contract. (See also Cal. No. 2(b) 4-4/20/64).

EXPLANATION: Pursuant to DM Certificate No. 588, dated 4/11/73, the Bureau of the Budget authorized this contract for a period of 15 months commencing April 1, 1973, ending June 30, 1974 in the total amount of \$200,000.00 for codes related herein. The related documents contained stipulations for renewal at the option of the College for a period of 24 months commencing July 1, 1974. The Director of the Oceanography Program, University Institute of Oceanography has requested and authorized execution of the option, necessitating request for approval for expenditure of the funds related thereto.

C. REHABILITATION OF TOWNSEND HARRIS ROOF - THE CITY COLLEGE: *

RESOLVED, That the Board of Higher Education approve the contract documents, specifications and expenditure and authorize The City College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing all labor and material, tools and equipment required for Roof Rehabilitation of Townsend Harris Hall, The College, at an estimated cost of \$172,000, chargeable to Code 042-4300-408-01-75 - Repairs General, subject to financial ability; and be it further

* Approved also by the Vice-Chancellor for Campus Planning and Development.

RESOLVED, That the Mayor be requested to approve and authorize the expenditure of \$172,000 for the proposed contract. (See also Cal. No. 2(b), 4-4/20/64).

EXPLANATION: The renovation indicated herein is required due to the serious state of disrepair of the Townsend Harris Hall Roof. Constant leakage is causing continuing damage to outside as well as inside walls, resulting in costly damage to the same. This renovation will complete roof restoration of the Townsend Harris Roof and implementation is recommended and approved by the Administrative Superintendent of Buildings and Grounds and the Dean of Campus Planning.

D. EXTERIOR PAINTING NORTH AND SOUTH CAMPUS - THE CITY COLLEGE: *

RESOLVED, That the Board of Higher Education approve the contract documents, specifications and expenditure and authorize The City College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing all labor and materials, tools and equipment required for painting exterior areas of various buildings on North and South Campus, The College, at an estimated cost of \$100,000, chargeable to Code 042-4300-408-01-75 - Repairs General, subject to financial ability; and be it further

RESOLVED, That the Mayor be requested to approve and authorize the expenditure of \$100,000 for the proposed contract. (See also Cal. No. 2(b) 4-4/20/64).

EXPLANATION: The areas as indicated in this resolution have been identified by on sight inspection by the College Administration and presently represent a state of serious disrepair, not having been painted or restored in the past eight (8) years. The Administrative Superintendent of Buildings & Grounds and the Dean of Campus Planning have deemed implementation of the requirements as stated essential in the best interest of the College.

E. UNIFORMED GUARD SERVICE - BROOKLYN COLLEGE:

RESOLVED, That the Board of Higher Education approve contract documents and specifications and authorize Brooklyn College to advertise for, receive and open bids, and award contract to the lowest responsible bidder for furnishing Uniformed Guard Service as required for the building and campus areas of Brooklyn College for a period of one year with an option to renew for one year, at a total estimated cost of \$686,888, this expenditure chargeable to Brooklyn College Tax Levy Fund, 042-4500-403-01/75-842, subject to financial ability; and be it further

RESOLVED, That the Director of the Budget approve and authorize the expenditure amount of \$686,888 for the proposed contract; and be it further

RESOLVED, That the Mayor of the City of New York be requested to approve and authorize the expenditure of the estimated amount of \$686,888 for the proposed contract. *

EXPLANATION: The 1973/74 Brooklyn College Uniformed Guard Service contract cost \$533,620 to provide a total 172,206 hours of coverage. Because newly constructed buildings are vulnerable to theft, and to provide maximum security for the college community, an additional 12,954 hours of coverage will be necessary, making a grand total of 185,160 hours of security coverage at an estimated cost of \$686,888. This includes additional Guard Service Equipment made necessary by the expansion of the college at an estimated annual cost of \$11,200.

F. UNIFORMED GUARD SERVICE - BARUCH COLLEGE:

RESOLVED, That the Board of Higher Education approve contract documents and authorize the Bernard M. Baruch College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for furnishing uniformed guard service for the period from July 1, 1974 through June 30, 1975, as required, at an estimated cost of \$180,000 chargeable to Code 042-5200-403-01-75 and/or such other funds as may be available, subject to financial ability; and be it further

* Approved also by the Vice-Chancellor for Campus Planning and Development

RESOLVED, That Baruch College be authorized to include a clause in the contract giving it the option to renew from year to year for two additional years at the same terms and conditions; and be it further

RESOLVED, That the Mayor be requested to approve and authorize the expenditure of the estimated amount of \$180,000 for the proposed contract.

EXPLANATION: The continuance of proper guard service is essential to the security of the College.

NO. 4. ACADEMIC AFFAIRS: RESOLVED, That the following resolutions presented by the Acting Vice-Chancellor for Academic Affairs be adopted:

A. A.S. DEGREE IN THEATRE ARTS - KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Program in Theatre Arts leading to the A.S. degree to be offered by Kingsborough Community College be approved, effective September 1, 1974, subject to financial ability and to the approval of the State University Trustees.

EXPLANATION: This program is designed to provide students with a thorough background in theatre arts in preparation for admission to baccalaureate programs at four year colleges. The program has been articulated with senior college programs offered by Brooklyn, Richmond, Queens and Hunter Colleges so that graduates can continue their studies in this field at one of these colleges. The curriculum includes a series of core courses in play analysis, acting, stagecraft, lighting design, and play production and advanced elective courses in each of these areas. The program also prepares students for employment in commercial theatres, community sponsored theatres, city and state recreation programs and in school and college theatre programs. Occupational titles for graduates of the program include theatre technician in lighting, design, makeup, costumes, and properties.

The program will require minimal additional costs because the College has the faculty and equipment necessary to initiate the required courses. These minimal costs will be absorbed by the College as part of its regular budget.

B. A. S. DEGREE IN PERFORMING ARTS - KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Program in Performing Arts with an option in Music leading to the A.S. degree to be offered by Kingsborough Community College, be approved effective September 1, 1974, subject to financial ability and to the approval of the State University Trustees.

EXPLANATION: This program is designed to provide students with a thorough background in music in preparation for admission to baccalaureate programs at four year colleges. Articulation agreements have been made with Brooklyn and Queens Colleges so that graduates of the program can continue their studies in this field at either of these senior colleges. The curriculum includes courses in the Theory of Music and Ear Training and requires student participation in the College Band, Orchestra or Chorus. The program also prepares students for employment with bands and orchestras, and with a variety of music related organizations.

The program will require the addition of one full-time equivalent faculty position and expenses relating to the rental of a music laboratory in an adjacent public school. These minimal costs will be absorbed by the College as part of its regular budget.

C. A.S. DEGREE IN FINE ARTS - KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Program in Fine Arts leading to the A.S. degree to be offered by Kingsborough Community College be approved, effective September 1, 1974, subject to financial ability and to the approval of the State University Trustees.

EXPLANATION: This program is designed to provide students with a thorough background in the fine arts in preparation for admission to baccalaureate programs at four-year colleges. The program has been articulated with senior college programs offered by Richmond, Hunter, Queens and Lehman Colleges so that graduates can continue their studies in this field at one of these

colleges. The curriculum includes a series of core courses in the history of art and provides students with an opportunity to specialize in one of the following areas: Drawing and Painting, Media and Graphics, Sculpture or Art History. The program also prepares students for initial employment in a variety of agencies including art galleries, book and magazine publishers, and advertising agencies.

The program will require minimal additional costs because the College has the faculty and equipment necessary to initiate the required courses. These minimal costs will be absorbed by the College as part of its regular budget.

5. BYLAW AMENDMENTS: RESOLVED, That those portions of Section 5.1 of the bylaws, entitled Amendments to the Bylaws, which provide that amendments to the bylaws may be adopted only at a stated or special meeting of the Board succeeding the stated or special meeting at which it was proposed; and that copies of proposed amendments must be mailed to each member of the Board at least ten days before being voted upon, together with a statement of the name of the introducer and of the meeting at which it is to be acted upon, for the meeting of March 25, 1974 be waived; and be it further

RESOLVED, That the following amendments to Articles I, II and III be adopted.

EXPLANATION: These are technical amendments to the bylaws which reflect the reduction in membership of the Board.

**BYLAWS OF THE BOARD OF HIGHER EDUCATION
OF THE CITY OF NEW YORK**

ARTICLE I - MEETINGS OF THE BOARD

Section 1.1 MEETINGS. a. Stated meetings shall be held on the fourth Monday of each month except the months of July and August. [The stated meeting in May shall be the annual meeting.] Special meetings shall be held on the call of the Chairman, or on the written request of [seven] four members.

b. The agenda for each stated meeting of the Board shall be made public at least [one calendar week] five days before the meeting at the respective colleges and to such educational and civic organizations as may request the same, as well as to any duly authorized collective negotiation representative. Permission to speak to items on the agenda may be granted by the Chairman or the Board, upon written application received no later than the business day preceding the Board meeting.

[c. The Board, in the exercise of its judgment, may grant public and private hearings on such items on the agenda as are the subjects of written requests, addressed to the Chairman, for such hearings.]

c. [d.] The Board shall schedule public hearings on higher education matters of wide concern, such as the adoption of its expense budget, capital budget, and Master Plan [.,] [and such other matters as the Board, in the exercise of its judgment, shall determine.] The Board in the exercise of its judgment, may schedule such other hearings as it may determine.

[e. Except in the case of public or private hearings, as set forth above, attendance at Board meetings shall be restricted to Board members, to the Chancellor, to members of the Council of Presidents (or ranking representative of an absent member), to such other personnel as are indispensable to the business on hand, and to such others as are specially invited.]

d. [f.] The Board and its respective committees shall be free to hold executive sessions, without any non-members save such as may be invited.

Section 1.2 NOTICE OF TIME AND PLACE OF MEETINGS. A notice of the hour and place of every meeting shall be mailed to the usual address of every member by the [secretary] Secretary of the Board not less than five, nor more than ten, days before the meeting; but any member may for himself, in writing, waive such notice for any meeting. All [stated] meetings of the Board shall be held [in the offices of the Board of Higher Education, 535 East 80 Street, New York City, at 5:30 p.m., unless otherwise] at such place and time as shall be determined by the Chairman or by the Board.

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Section 1.3 QUORUM OF THE BOARD. Six members of the Board shall constitute a quorum.

Section 1.4 PRESIDING OFFICER. In case the Chairman shall not attend a meeting at which a quorum is present, the [First] Vice-Chairman [or, in his absence, the Second Vice-Chairman] may call the meeting to order and preside.

Section 1.5 ORDER OF BUSINESS. The calendar of the Board shall be prepared in such form as the Board may determine from time to time. The order of business may be determined by resolution of the Board.

Section 1.6 PARLIAMENTARY PROCEDURE. Except as herein otherwise specifically provided, the Board shall be governed in its procedure by parliamentary rules and usage as set forth in Robert's Rules of Order, Revised.

Section 1.7 ROLL CALL. At the request of any member, the ayes and noes on any question shall be called and entered upon the minutes.

ARTICLE II - OFFICERS OF THE BOARD

Section 2.1 OFFICERS. The officers of the Board shall be the Chairman, the [First] Vice-Chairman, [The Second Vice-Chairman,] the General Counsel and the Secretary.

Section 2.2 TERM OF OFFICE. [From among its members the Board shall elect a Chairman, a First Vice-Chairman and a Second Vice-Chairman for a two year term at the annual meeting held in each even-numbered year. The Chairman and the Vice-Chairmen shall hold office until their successors shall be elected. Any person elected as Chairman or First or Second Vice-Chairman may be reelected for an additional term of two years, but shall be ineligible for reelection to the same office for two years thereafter. The Chairman and Vice-Chairmen shall be chosen by secret ballot, the vote of twelve members of the Board being necessary to a choice. Vacancies in the office of Chairman or the Vice-Chairmen shall be similarly filled by the Board for the balance of the term. General Counsel and Secretary of the Board shall serve at the pleasure of the Board.] The term and manner of selection of the members of the Board and the Chairman and Vice-Chairman shall be as provided for in section 6201 of the Education Law. The General Counsel and the Secretary shall serve at the pleasure of the Board.

Section 2.3 DUTIES OF THE CHAIRMAN. a. The Chairman shall preside at all meetings of the Board, shall be a member ex officio of all committees and shall be entitled to vote at all meetings of the Board and of all its committees. Unless otherwise provided herein or otherwise determined by the Board, the Chairman shall [appoint] name the members and designate the Chairman of all standing and special committees, [, and shall designate the chairman and vice-chairmen of such committees.] The Chairman is hereby empowered to execute all documents, receipts, releases or other instruments requiring the signature of an authorized representative of the Board.

b. By virtue of his office, the Chairman is the spokesman through whom the Board announces and publicizes Board actions or decisions primarily within the Board's statutory fields of governance and policy-making; and within those fields he has the principal (but not exclusive) responsibility for Board communications and Board dealings with the Mayor of the City, the Governor of the State, the Executive Department of the United States, legislators and governmental departments of the City, state and nation.

c. In his capacity as Chairman he will receive and may answer communications addressed to the Board or to himself in his official capacity.

d. Where a Board committee has in hand matters connected with a governmental department, the committee's chairman may, for the purposes of the committee, confer with such department, after first notifying the Chairman of the Board of the circumstances.

Section 2.4 DUTIES OF THE [FIRST] VICE-CHAIRMAN. The [First] Vice-Chairman [shall be a member of the Executive Committee. He] shall preside, in the absence of the Chairman of the Board, at all meetings of the Board; [and of the Executive Committee;] shall be a member ex officio of all [other] standing committees of the Board; and shall be entitled to vote at all meetings of all such [other] standing committees unless the Chairman of the Board be present and voting.

[Section 2.5 DUTIES OF THE SECOND VICE-CHAIRMAN. The Second Vice-Chairman shall be a member of the Executive Committee. He shall preside, in the absence of the Chairman of the Board and First Vice-Chairman, at all meetings of the Board and of the Executive Committee; shall be a member of all other standing committees of the Board; and shall be entitled to vote at all such other standing committees unless the Chairman of the Board and First Vice-Chairman be present and voting.]

Section [2.6] 2.5 DUTIES OF GENERAL COUNSEL. General Counsel shall direct a centralized legal office rendering, with an appropriate staff under [his] the General Counsel's supervision, legal services to the Board and to The City University of New York. [He] The General Counsel shall report to the Chairman of the Board and to the Chancellor of the University. [He] The General Counsel is authorized to verify pleadings and to sign affidavits and other documents in connection with legal proceedings in which the Board and its interests are involved.

Section [2.7] 2.6 DUTIES OF THE SECRETARY. The Secretary of the Board shall prepare the agenda of all meetings of the Board, attend the meetings thereof and prepare the minutes of such meetings. [The Secretary shall prepare the agenda and minutes of all meetings of the Executive Committee, and such other meetings as directed by the Board. He] The Secretary shall have charge of all Board records, files, minutes, official documents, and the seal of the Board. [He] The Secretary shall cause a copy of the minutes of each meeting of the Board to be forwarded promptly to its members and shall certify the same as a true copy when necessary. [He] The Secretary shall notify appropriate agencies and persons of the Board's actions and shall send notices of Board and committee meetings to the members of the Board; shall maintain a central calendar for meetings; and shall perform related duties assigned to him/her by the Chairman of the Board. [He] The Secretary is authorized and empowered to sign budget modifications, execute all contracts, communications, receipts or other instruments requiring the signature of an authorized representative of the Board, and to affix the seal of the Board thereto, which documents reflect or effectuate prior action adopted or authorized by the Board. In the event of the illness or absence of the Secretary, the Chairman of the Board is authorized to designate a member of the Board's staff to serve as Acting Secretary of the Board.

ARTICLE III - COMMITTEES OF THE BOARD

Section 3.1 STANDING COMMITTEES. The standing committees of the Board shall be [the Executive Committee and] such [other] committees as may be established by resolution of the Board.

[Section 3.2 EXECUTIVE COMMITTEE. a. The Executive Committee shall consist of seven members, inclusive of the Chairman, First Vice-Chairman and Second Vice-Chairman of the Board, ex officio. The Chairman of the Board shall be the chairman of the committee; in his absence, the First Vice-Chairman, and in the absence of the First Vice-Chairman, the Second Vice-Chairman shall preside at meetings of the committee. The other four members of the committee shall be elected by the Board at its annual meeting for three-year terms as vacancies occur by virtue of the expiration of respective terms. Members so elected shall not be eligible for re-election for a period of one year. interim vacancies shall be filled by the Chairman of the Board. The committee shall meet at the call of the Chairman or First Vice-Chairman or Second Vice-Chairman of the Board, or of any two members of the Committee.

b. The committee shall transact such business of the Board as may be necessary during intervals between the meetings of the Board except that it may not grant degrees, make removals from office, amend the bylaws of the Board, or take any action against an express policy of the Board. The committee shall keep minutes of its proceedings and the Secretary of the Board shall promptly forward copies thereof to every member of the Board.]

Section [3.3] 3.2 SPECIAL COMMITTEES. Special committees may be [authorized] established by the Board [the Executive Committee or the Chairman of the Board.] as it deems appropriate.

Section [3.4] 3.3 QUORUM OF A COMMITTEE. A majority of the members of a committee, exclusive of ex officio members, shall constitute a quorum for the transaction of business, but ex officio voting members may be counted if necessary to constitute a quorum.

Note: Matter in brackets to be deleted; matter underlined is new.

NO. 6. COMMITTEE STRUCTURE: WHEREAS, Chapter 708 of the Laws of 1973 reconstituted the Board of Higher Education as a body of eleven members in lieu of the twenty-two member Board theretofore serving; and

WHEREAS, Such change necessitates a reformulation of the Board committee structure heretofore established; therefore be it

RESOLVED, That all standing and special committees of the Board previously established are hereby abolished; and be it further

RESOLVED, That three standing committees of the Board be and the same are hereby established, to be known as the Committee on Academic Affairs, the Committee on Fiscal Affairs and Planning, and the Committee on Administrative Affairs. Such committees shall review the matters within their respective areas of responsibility as set forth below, and make recommendations thereon to the Board:

I. COMMITTEE ON ACADEMIC AFFAIRS

1. Academic policies and programs, including their size, cost and source of funds, for senior and community colleges. Plans for new curricula to be included in the Master Plan.
2. Qualifications for the appointment, promotion and tenuring of faculty members.
3. University policy and programs relating to expanded educational opportunity for economically and educationally disadvantaged persons.

II. COMMITTEE ON FISCAL AFFAIRS AND PLANNING

1. Fiscal aspects of the operating and capital budgets of City University.
2. Policies and procedures relating to the management of tax levy funds and funds received from other sources, such as trusts and gifts, including accounting, auditing, and investment policies and procedures.
3. Capital construction and long term planning of physical facilities and their financing, including Master Plan items relating to new facilities.

III. COMMITTEE ON ADMINISTRATIVE AFFAIRS

1. Governance of the University and its constituent units.
2. Faculty and staff relations, including qualifications of non-teaching employees.
3. Matters other than academic matters relating to students.
4. Legal matters and bylaw provisions relating to administration of the University.

and be it further

RESOLVED, That such special committees as the Board shall deem appropriate may be established from time to time; and be it further

RESOLVED, That the Chairman of the Board shall name the members and designate the Chairman of each of the above committees. In addition thereto, the Chairman of the Board shall appoint as participating but non-voting members of each such committee one faculty member after consultation with the University Faculty Senate, and one City University student after consultation with the University Student Senate. The Chairman and Vice-Chairman of the Board shall serve as *ex officio* members of each of the three standing committees.

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

He noted that there are two major issues before the Legislature of concern to the City University, the first being the budget of the University - some \$605 million, and the second being a request from the University to sever the community colleges in the City of New York from the State Community College system and include them as de jure as well as de facto parts of the City University.

With respect to the above he noted that:

(a) The bill including the community colleges in the City system was sponsored in the Senate by Senator Marchi and Senator Bloom and in the Assembly by Assemblywoman Cooke and Assemblyman Hecht. The bill passed the Senate and though there may be some technical changes that have to be made, which may take the form of amending the Assembly bill, there seems to be no serious opposition to the bill in the Assembly at this time.

(b) The community college budget of the City University. The community colleges are funded technically on a 40-60 basis, the State putting up 40% and the City 60% of the funding. However, the total funds are limited by a formula. Under the formula as it now exists, the community colleges would be short in State funds approximately \$11 million under the City's fiscal year or \$24 million under the State fiscal year. An alternative proposal that has been made by the Trustees of the State University would mean a \$9 million shortfall in the City's fiscal year and a \$7 million shortfall in the State's fiscal year.

NO. 8. GENERAL DISCUSSION: The Chairman reported on matters of Board concern:

(a) The Lavin Report on Open Admissions included students who had transferred to other CUNY units. Earlier reports had not included them. This report included students who had been in the opening class and who may have dropped out after one or two semesters and then returned. If they were there at the end of the fourth semester, they were included.

There was a retention rate of almost 70%. These figures might be deemed conservative because they do not include students who were in the Day Session of September 1970 and who may have transferred to the Evening Session, and it also does not include students who transferred to non-CUNY institutions.

The Chairman requested that the third year figures be expedited.

(b) Discussions with the Board of Education are continuing in an effort to get more coordination of the University's activities with theirs.

(c) Tenure Resolution. The tenure resolution adopted by the previous Board in October 1973 will be considered by one of the newly appointed committees.

Upon motion duly made, seconded and carried, the meeting adjourned at 5:35 p.m.

N. MICHAEL CARFORA
Secretary of the Board