

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

HELD

JANUARY 27, 1975

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

The Chairman called the meeting to order at 4:45 p.m

There were present:

Alfred A. Giardino, Chairman

**Francesco Cantarella
Vincent R. FitzPatrick
Gurston D. Goldin**

**Rita E. Hauser
Vinia R. Quinones
Marta Valle**

Etta G. Grass, Acting Secretary of the Board

**Chancellor Robert J. Kibbee
President Milton G. Bassin
President William M. Birenbaum
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**

**President Kurt R. Schmeller
President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor David Valinsky
Mr. Jay Hershenson
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Mary P. Bass
Vice-Chancellor Julius C.C. Edelstein
Vice-Chancellor Anthony Knerr
Vice-Chancellor J. Joseph Meng
Vice-Chancellor David Newton**

The absence of Mr. Jacobs, Mr. Murphy and Mr. Williams was excused.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 7)

NO. 1. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for January 27, 1975 (including Addendum Items) be approved, as amended as follows:

(a) PART AA: Add the following appointment:

DEPT., UNIT, TITLE	NAME	EFFECTIVE	SALARY
Bx. Comm. Coll. Safety & Security Asst. to HEO	Philip Foglia(2)	2/1/75-6/30/75	\$14,300/A

Bylaw Section 11.14B waived.

(2) Approved by the HEO SCREENING COMMITTEE

(b) Item B-I.A.-15.8 BOROUGH OF MANHATTAN COMMUNITY COLLEGE - AWARD OF CERTIFICATE OF CONTINUOUS EMPLOYMENT, EFFECTIVE 9/1/75: Title "Instructor" to be deleted and title "Lecturer (Full-Time)" to be added for all individuals listed therein.

(c) Items listed in PART E - ERRATA, to be withdrawn or changed, as indicated.

NO. 2. COMMITTEE ON ADMINISTRATIVE AFFAIRS: RESOLVED, That the following resolutions approved by the Committee on Administrative Affairs be adopted:

A. BYLAW AMENDMENTS - ACADEMIC DUE PROCESS:

Mrs. Quinones, on behalf of the Committee on Administrative Affairs, served notice of proposed amendments to the bylaws, Section VII, with respect to Academic Due Process.

At this point, the Board heard Dr. Irwin H. Polishook, First Vice President of the Professional Staff Congress, who spoke in opposition.

Notice of these proposed amendments was noted. Under the bylaws action will not be taken until the next meeting.

B. ADMISSION OF VETERANS: 1. MATRICULATION PROCEDURES:

RESOLVED, That all student veterans whose high school averages qualified them to enroll as matriculated students, but who were enrolled as non-matriculated students because of their failure to meet the previous admissions application deadlines be fully matriculated effective with the Summer Session, 1974.

EXPLANATION: Currently each college has individual requirements by which these non-matriculated veterans become matriculated. This resolution would establish uniform standards of matriculation for those veterans who missed the previous application deadline, and therefore, eliminate the inequities that presently exist in the system.

2. LATE REGISTRATION:

RESOLVED, That all veterans of the U.S. Military Service with no previous college experience be permitted to file matriculation applications at any time prior to the date that registration is scheduled to begin and that the normal University-established dates for filing such applications shall not apply; and be it further

RESOLVED, That in the event the filed application is lacking in supporting data at the time of scheduled registration, the veteran, subject to space limitation, shall be admitted as a conditional matriculant pending receipt of such supporting data, provided, however, that the veteran has presented evidence of a high school diploma or equivalent; and be it further

RESOLVED, That upon receipt of the supporting documentation to complete the application, the veteran shall be placed in full matriculation if he/she meets the admissions requirements of the college or if he/she has met the college's academic standards for continued matriculation at the end of the aforementioned semester; and be it further

RESOLVED, That veterans admitted in accordance with the foregoing resolutions will forfeit their matriculated status if they should fail to provide the documentation required by the college in order to complete the admissions application or if they fail to meet the college's academic standards for continued matriculation; and be it further

RESOLVED, That the foregoing resolution be effective beginning with students entering in Spring, 1975.

EXPLANATION: Currently veterans are permitted to file late applications; but if such applications are incomplete at the time of late registration, they have no alternative but to register as non-matriculants, be subject to tuition and reapply for a subsequent semester. In keeping with the Board of Higher Education's policy to support veterans' access to higher education, this resolution would eliminate another paper roadblock. The foregoing resolutions are not intended to diminish the established admissions requirements nor the regular processing by the University Application Processing Center of all freshman applications.

C. CITY UNIVERSITY RESEARCH FOUNDATION: 1. DISPOSITION OF PROPERTY:

RESOLVED, That title to all property purchased by the Research Foundation of the City University of New York with funds received under grants, awards or contracts, upon termination of the grant, award or contract, shall be transferred to and vested in the Board on behalf of the college or university unit involved in the particular grant, award or contract, in accordance with implementary rules promulgated by the Research Foundation, provided however that the Research Foundation shall retain responsibility for such property to the extent necessary to wind up the grant, award or contract, and effect any necessary physical delivery or transfer, and further provided that the terms of the grant, award or contract, and applicable rules and regulations shall control to the extent they may be inconsistent with the provisions of this resolution.

EXPLANATION: The City University Research Foundation administers on behalf of the Board, City University grant and research funds. At the end of a particular grant, award or contract, usual practice is for the college involved to retain or obtain control and possession of any property purchased through the use of such funds. The purpose of this resolution is to formalize the legal transfer of title to such property at the end of the grant, award or contract, and to formally relieve the Research Foundation of responsibility over such property. The Research Foundation has authorized these grant transfers in a resolution dated December 10, 1974.

2. HEW - CUNY PATENT AGREEMENT:

RESOLVED, That the Board authorize the Research Foundation of the City University of New York, on behalf of the Board, to enter into an Institutional Patent Agreement with the United States of America, as represented by the Assistant Secretary (Health and Scientific Affairs) of the Department of Health, Education, and Welfare, pursuant to which the Board of Higher Education and the Research Foundation will obtain a first option to retain principal rights in and to administer inventions made in the course of or under research supported by grants and awards from the Department of Health, Education, and Welfare.

EXPLANATION: Adoption of this resolution will enable the Research Foundation of the City University of New York to enter into an agreement with the U.S. Department of Health, Education and Welfare pursuant to which the Research Foundation on behalf of the City University will obtain first option to retain ownership and patent rights to all inventions conceived by persons working on DHEW grants and contracts with the privilege of the United States of America to use such patents royalty free.

Execution of the agreement also constitutes approval by DHEW of the patent policies and procedures adopted by the Board of Higher Education and the Research Foundation with respect to patents and inventions.

At this point the Board heard Dr. Barry Bressler, a faculty member at Richmond College, who spoke in favor of the Richmond College Interim Governance Plan and Mr. Paul Nelson, a student at Richmond College, and Mr. Jay Hershenson, Chairman of the University Student Senate, who spoke in opposition to the plan.

D. RICHMOND COLLEGE INTERIM GOVERNANCE PLAN:

RESOLVED, That this two-stage plan for academic restructuring and for the development of a permanent governance plan for Richmond College be approved effective January 27, 1975, with the understanding that a referendum on the final and permanent governance plan based on the new structure will be held as soon as possible, and that such permanent plan proposed would be within the spirit and intent of the Board's guidelines on governance.

NOTE: A copy of this two-stage plan is on file with these minutes in the Office of the Secretary of the Board.

E. CONTRACT WITH LOCAL 384, COVERING GITTLESON EMPLOYEES:

RESOLVED, That the contract negotiated by the University, the Mayor's Office of Labor Relations, and Local 384 of District Council 37 AFSCME for the titles College Office Assistant (A and B), College Secretarial Assistant (A and B) and College Administrative Assistant, for the period July 1, 1974 to June 30, 1976 be approved in principle.

EXPLANATION: This contract succeeds the contract which expired on June 30, 1974 and is the result of intensive negotiations between the parties. The economic component of this settlement conforms to the pattern of increases and Cost of Living Adjustments contained in all agreements reached by the City of New York in the current "round" of negotiations. The contract was ratified by local 384 by mail ballot on January 3, 1975 by a vote of 1,724 to 142.

NO. 3. COMMITTEE ON ACADEMIC AFFAIRS: RESOLVED, That the following items approved by the Committee on Academic Affairs be adopted:

A. BARUCH COLLEGE - B.B.A. OR B.A. IN STATISTICS AND AN M.B.A. IN STATISTICS, OPERATIONS RESEARCH OR COMPUTER METHODOLOGY:

RESOLVED, That the Four Year Accelerated Degree Program leading to a B.B.A. or B.A. in Statistics and an M.B.A. in Statistics, Operations Research or Computer Methodology to be offered at Baruch College, be approved effective September 1975, subject to financial ability.

EXPLANATION: This accelerated degree program is designed for high caliber students who are able to undertake advanced work at an early stage and to start a graduate level program in the second semester of the junior year. By enabling qualified students to advance more rapidly in their academic achievements, the program will attract to Baruch talented students who might not otherwise consider attending City University. The program is similar to combined degree programs offered at other units of the University which enable exceptional students to complete the requirements for the M.A. degree within four years. The proposed program should not involve any additional costs. To the extent that costs are incurred, they will be absorbed in the college's regular budget.

B. THE CITY COLLEGE - B.A. IN URBAN LEGAL STUDIES:

In moving the resolution, Dr. Goldin commented on its features of particular significance with respect to educational policy and developments in the University and requested that the Board "instruct the Chancellor to monitor the admissions procedures to this program in order to ensure a rigorous adherence to the policy of the BHE."

Mrs. Quinones opposed this request limited to a particular program unless it were broadened to apply to all programs of the University including the Open Admissions Program.

At this point, the Board heard Mr. Jack M. Elkin, Chairman, Metropolitan Council of the American Jewish Congress, who asked that the Board defer approval of the Program until both the Board and the public were fully satisfied that the admissions criteria and procedures to be followed were completely non-discriminatory.

President Robert E. Marshak read into the record a statement from former Chief Judge of the Court of Appeals of the State of New York Stanley Fuld, who urged approval of the Program.

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

RESOLVED, That the Program in Urban Legal Studies leading to the B.A. Degree, to be offered by City College, be approved effective September 1975, subject to financial ability.

EXPLANATION: This cooperative law program will combine a complete law school training with the study of the liberal arts and sciences in an integrated, six-year curriculum designed to train lawyers who will serve communities that presently lack adequate legal services. The program will introduce professional legal training to students at a point early in their educational careers in order to assess their interest in and capacity for the full-time pursuit of a legal career while they are still in their undergraduate years. Students entering the program will follow a three-semester sequence of courses designed to serve as an introduction to the legal process, legal analysis and the use of legal materials. During their second and third year, students will take a series of courses in Criminal and Constitutional Law which will be presented from the perspective of sociology and political science, on the one hand, and from a legal perspective on the other. Also included in the program are general education requirements similar to those of the City College Freshman Honors Program. At the end of the third year students who maintain high academic standards and meet the normal standards of character and aptitude prerequisite to enter into law school will be admitted to the New York Law School. Upon completion of one year in Law School they will be granted the B.A. from City College; after two additional years they will qualify for a J.D. Degree from New York Law School. The program will be administered jointly by City College and the New York Law School.

It is projected that the first year costs of this program will be about \$77,000. By 1979-80 when the program has reached a steady-state enrollment of about 140 FTE students, the annual costs will be on the order of \$110,000. All monies expended on this program will come from the City College regular operating budget. No additional monies will be appropriated.

C. THE CITY COLLEGE - B.F.A. IN MUSIC, THEATER, DANCE AND FILM:

RESOLVED, That the Bachelor of Fine Arts Degree to be offered by the City College be approved effective September 1975; and be it further

RESOLVED, That the Master Plan be so amended; and be it further

RESOLVED, That the programs in Music, Theater, Dance, and Film leading to the B.F.A. degree, to be offered by City College be approved effective September 1975, subject to financial ability.

EXPLANATION: In September 1972, the BHE approved a resolution to construct and equip a Center for the Performing Arts at City College to provide a central facility for general academic and community use related to the Performing Arts. To carry out the goals of the Center, the City College has developed B.F.A. programs in Music, Theater, Dance and Film which will attract, identify, audition and train highly talented students for careers in the performing arts. The B.F.A. degree is needed for these students because it requires only one quarter of the academic work to be in the area of liberal arts and sciences, whereas the B.A. degree requires that three quarters of the work be in the liberal arts and sciences. The B.F.A. thus permits the inclusion of a

greater number of technical courses which are necessary to train students for careers in the performing arts. In stressing performance and production, the B.F.A. also serves to certify preparation for, and proficiency in, organizing, directing, and performing in cultural programs on a full-time professional basis.

The B.F.A. programs have been designed to meet the needs of a multi-ethnic student population and to serve the cultural needs of the surrounding community. They will articulate with programs in the City University Community Colleges and with M.F.A. programs in the senior colleges. It is expected that 250-300 students will participate in the program when it is in full operation. The programs at the Davis Center for the BFA are projected to cost about \$410,000 annually or \$2,000 per FTE after enrollment has reached 275 headcount students. Of the total cost, about \$250,000 will be paid by non-tax-levy sources including the Davis fund income. The remaining \$162,000 projected annual expense will be paid from the regular operating budget of the College. These funds will come primarily from those disciplines which complement the activities of the Davis Center. The participating departments are Speech and Theatre, English, Music, Art, and Physical Education. The scale of operations in the BFA program will depend upon the College's ability to secure outside contributions in support of its activities at the Davis Center. These non-tax-levy funds will be used to pay for artists-in-residence, music lessons, guest lecturers, and so on.

D. MEDGAR EVERS COLLEGE - B.S. IN PUBLIC ADMINISTRATION:

RESOLVED, That the program in Public Administration leading to the B.S. Degree to be offered at Medgar Evers College be approved, effective September 1975, subject to financial ability.

EXPLANATION: This program will prepare graduates for middle management positions in urban public and quasi public agencies. The curriculum is designed to develop in students the ability to define and analyze urban administrative problems and to provide the basic skills needed to deal with these problems. The course work, which includes 39-41 credits in public administration, is geared to actual agency problems and situations. The program also provides a strong background in the social sciences and includes a sustained field experience of at least two semesters which is linked to classroom study. The program design meets the needs of both part-time and full-time students and has been developed in close cooperation with a number of public and quasi public agencies. The proposed costs for this program are \$157,282 in 1974-75 and rise to \$341,183 in 1978-79. No special equipment or facilities are required, and the costs for the program will be borne by the College's existing budget. No additional monies from CUNY funds will be required.

E. TERMINATION OF UPPER DIVISION PROGRAM - B.S. IN NURSING - JOHN JAY COLLEGE:

1. **WHEREAS**, on June 18, 1973, Cal. No. 7J, the Board approved the establishment of an Upper Division Program leading to the B.S. in Nursing at John Jay College, subject to financial ability, and

WHEREAS, Funding for this program is not available, therefore be it

RESOLVED, That the Board terminate the B.S. in Nursing Program at John Jay College, effective with the end of the fall semester in January, 1975.

2. **WHEREAS**, The students of the Nursing Program at John Jay College have amassed credit toward their baccalaureate degrees at John Jay College, and

WHEREAS, The John Jay Program is being terminated effective January 31, 1975, and

WHEREAS, These students will have to complete the requirements of the Senior College to which transfer is arranged which may increase the number of credits normally needed for the degree,

BE IT RESOLVED, That subsequent to Transfer any excess credit needed to complete the baccalaureate degree be not subject to the normal fees charged.

EXPLANATION: The above resolution (1) which appeared on the agenda of the meeting of the Board held on December 16, 1974 was tabled and referred to the Committee on Academic Affairs.

A number of meetings with the students have taken place. The University Dean for Academic Affairs met with all the students and faculty of the John Jay Nursing Program on November 29, 1974. The University Coordinator for Health Affairs met three times with the same group on December 10, 12 and 18, 1974. Through these meetings a thorough dialogue between the students and administration has taken place. A complete understanding of the students' concerns has been obtained.

All thirty students of the John Jay program chose to transfer to other existing baccalaureate Nursing Programs in the University. Twenty-six chose the Hunter School of Nursing; two chose the City College Nursing Program; and two chose the Lehman College Nursing Program. All students have been admitted to the program of their choice.

The Colleges involved have been requested and have agreed that no loss of credit will occur upon transfer and that no placement or challenge exams will be necessary. The students will be informed of these decisions by the Department of transfer after receiving formal letters of acceptance.

To insure that students will not have to pay fees for excess credits to complete their baccalaureate degrees, the staff of the Office of Academic Affairs recommended the adoption of resolution (2.).

F. LAGUARDIA COMMUNITY COLLEGE - A.A. PROGRAM FOR EDUCATION ASSOCIATE WITH CONCENTRATION IN BILINGUAL EDUCATION:

RESOLVED, That the program for Education Associate with a concentration in Bilingual Education leading to the A.A. Degree be approved, effective September, 1975, subject to financial ability and the approval of the State University Trustees.

EXPLANATION: At present, LaGuardia Community College offers a program for Education Associate leading to the A.A. Degree. However, this program is open to paraprofessionals already employed in the City school system. To meet the growing need for adequately trained teaching personnel to work in schools comprised largely of Spanish speaking children, LaGuardia now proposes to make the existing program accessible to recent high school graduates as well as paraprofessionals and to include a specialization in Bilingual education. Students who complete the program will be prepared to work in schools as teachers aides or to continue work for the Bachelors Degree in education at York College or Brooklyn College where articulation arrangements have been made. The program thus provides a career ladder in Bilingual Teacher Preparation in accordance with the needs of the New York School system. The projected costs for this program are \$24,366 in 1975/76, of which \$6,500 is for equipment. The budget for 1976/77 is \$36,840, and for 1977-78, \$53,474. Support for this program will come from LaGuardia Community College's existing budget, and no additional monies from CUNY funds will be required. LaGuardia Community College views this program as a model for the development of other programs such as Greek, Italian, and other appropriate language areas.

G. WEEKEND SEMINAR PROGRAM - QUEENSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Weekend Seminar Program to be offered at Queensborough Community College be approved, effective September 1975, subject to financial ability.

EXPLANATION: There are many adults who would like to obtain a college education but find it difficult to participate in academic programs scheduled during the week. This program represents an attempt to make higher education accessible to this group. The curriculum consists of 6 two-semester seminars in the Arts; Humanities; Life Sciences; Physical and Mathematical Sciences; Communication Sciences; and Languages. The seminars, which include independent study, award a total of 50 credits and fulfill the specific distribution requirements (except for Physical Education and Speech) for the A.A. degree. Individual seminars in the program will also be open to students already enrolled in the college who meet the requirements of the program and who wish to substitute one or more of the seminars for regular college distribution requirements in that area. It is anticipated that establishment of this program will free some faculty from their teaching during the regular day and evening sessions. These savings plus a modest contribution from the college's operating budget should allow the program to be undertaken. However, the offering of the program will be contingent upon the availability of funds and the college's ability to support the program from its regular budget.

NO. 4. COMMITTEE ON FISCAL AFFAIRS AND PLANNING: RESOLVED, That the following resolutions approved by the Committee on Fiscal Affairs and Planning be adopted:

I. FISCAL RESOLUTIONS:

A. RENEWAL OF NDSL BILLING SERVICE CONTRACT:

RESOLVED, That the Board of Higher Education authorize the Central Office to exercise its option to renew the contract for furnishing National Defense/Direct Student Loan (NDSL) billing services with Academic Financial Services Association (AFSA), originally approved February 25, 1974 (Calendar Item 3A), for a period of one (1) year commencing April 1, 1975; and be it further

RESOLVED, That the Board of Higher Education authorize the Central Office to extend the operation of AFSA to include the Nursing Student Loan Program in accordance with an option provided in the existing contract; and be it further

RESOLVED, That the total contract price for the second year renewal be increased from \$135,000 to an amount estimated at \$210,000 to provide for the required processing of new and active student loan accounts (\$35,000) and the addition of Nursing Loan accounts to the billing files (at an estimated cost of \$40,000).

EXPLANATION: The United States Government (Department of Health, Education and Welfare) has made it mandatory for all participating colleges to make a bona fide attempt to bill and collect repayments of the National Defense/Direct Student Loan Program. It is, therefore, necessary to continue to contract for billing services. Extension of the AFSA agreement to cover the Nursing Loan program will eliminate the need for the colleges to maintain a manual billing service, will standardize student loan collection procedures throughout the University, and will minimize the need for extensive training of staff because of familiarity with AFSA procedures. Funds for this contract are provided by Federal Government reimbursement of administrative expenses.

B. COMMUNITY COLLEGE OPERATING BUDGETS - FISCAL YEAR 1974-75:

RESOLVED, That the Board of Higher Education approve the adjusted operating budget for fiscal year 1974-75 for the Community Colleges as indicated below:

	Operating Budget as Adopted by The City of New York	Adjusted Operating Budget as Presented to The State University of New York
Board of Higher Education		
Community Colleges	\$141,706,600	\$169,700,000

EXPLANATION: The City of New York approved budgets for each community college for 1974-75 in its Expense Budget, as indicated in the column entitled "Operating Budget as Adopted by The City of New York." The City also approved budgets for the College Discovery Program, as well as unallocated amounts for enrollment and other increases held centrally in University Programs. The budget contained in the column entitled "Adjusted Operating Budget as Presented to the State University of New York" reflects the addition of these amounts to the approved Community College budgets. The State University of New York has requested a Board resolution approving these allocations on a University basis for their approval for purposes of State Aid. This resolution complies with that request and also with Chapter 708, Sec. 6, Laws of 1973 of the State of New York, which permits City University Community Colleges to file for State Aid as a single unit.

II. CAMPUS PLANNING AND DEVELOPMENT RESOLUTIONS:**A. ROOF RENOVATION OF SHEPARD HALL - THE CITY COLLEGE:**

RESOLVED, That the Board of Higher Education authorize The City College to award a contract to E. Daskal Corp., in the amount of \$259,600 (the low bidder), for furnishing all labor and material, tools and equipment required for the work necessary to complete roof renovation, Shepard Hall, North Campus, which is \$69,600 over the cost limitation of \$190,000 as approved by CP-10027, May 13, 1974, chargeable to Capital Project HN 203 - 042-0607-12-53; and be it further

RESOLVED, That the Bureau of Budget authorize increase in cost limitation in the amount of \$69,600 for implementation of work required.

EXPLANATION: On May 13, 1974, CP Certificate 10027, chargeable to HN 203, was issued by Bureau of Budget approving funding within a cost limitation of \$190,000. The cost estimate projected by the College as approved on Board resolution February 25, 1974, Cal. No. 2g, was in the amount of \$300,000 for implementation of related work. Bids were opened on November 6, 1974, with the low bidder, E. Daskal Corp., responding in the amount of \$259,600; the high bid by Simpson Metal was \$353,420. The low bidder exceeded the authorized amount as indicated in the referenced CP Certificate by \$69,600.

The renovation of the Shepard Hall roof has, due to continuous cutbacks of cost estimates presented by the College, been subject to restoration by priority. This pending acquisition will be the last in a series. The Dean of Campus Planning has advised that it is impossible to continue this process and that it is not practical nor in the best interest of the College to partially award this pending acquisition or to further delay implementation of the related work.

It is respectfully requested, therefore, that CP Certificate No. 10027 be amended to include the increase in cost as reflected in the low bid and authorize the expenditure for this pending acquisition in the amount of the low bid of \$259,600.

It is brought to your attention, that by contract mandate, award, if any, must be made within forty-five (45) days from the date of bid opening. If this time frame is not adhered to, the low bidder has the privilege of withdrawing his bid.

B. CONSTRUCTION OF CENTER FOR PERFORMING ARTS (AARON DAVIS HALL) - THE CITY COLLEGE:

RESOLVED, That the Board of Higher Education accept contract drawings, specifications and final cost of \$5,193,911 for the construction of the Aaron Davis Hall, the Center for the Performing Arts, on the South Campus of The City College, as prepared by A.W. Geller and Associates and E.D. Ehrenkrantz and Associates, Architects; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforesaid document and authorize the Dormitory Authority of the State of New York to invite bids and award contracts for the said construction; and be it further

RESOLVED, That the Board authorize the execution of an interim supplemental note agreement to finance a total project cost not to exceed \$7,262,292 (including furnishings, fees, contingencies, etc.).

EXPLANATION: On February 25, 1974 (Cal. No. 2E) the Board approved preliminary plans, specifications and cost estimate of \$4,637,421 (Jan., 1974). Subsequently, the Budget Bureaus of the City and State were requested to approve a construction (bid) cost limitation of \$5,193,911 which included a then estimated cost escalation allowance. Each Bureau subsequently authorized an amount of \$4,920,000, the difference reflecting a lower cost escalation estimate. The Bureaus have agreed to consider approval of up to the \$5,193,911 amount after the bids have been received and evaluated.

The preliminary January 1974 estimate of \$4,637,421, if escalated by the current Turner Construction Cost Index of 1.2294 to the February 1975 bid date, would indicate a bid estimate of \$5,701,299.

The Architect's final estimate, dated December 19, 1974, including the cost of general conditions work, is \$5,392,800. To meet the cost limitation of \$5,193,911 certain items of work estimated at \$304,800 are to be bid as "add alternates." Subtracting these items from the estimate of \$5,392,800, the adjusted estimate would be \$5,088,000. If satisfactory bids are received, as many of the "add alternates" will be included in the project as permitted within the established cost limitation of \$5,193,911.

The final plans, specifications and cost estimates have been reviewed by and meet the approval of the Office of Campus Planning and Development, the Dormitory Authority and the College, in all aspects of design and function.

C. EXCAVATION AND FOUNDATION WORK - YORK COLLEGE:

RESOLVED, That the Board accept final plans, specifications and cost estimate of \$2,234,950 as of bid date of January, 1975 for Excavation and Foundation work, for the York College Academic Core project as prepared by Gruzen and Partners, Architects; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforementioned contract documents and estimate of cost and to authorize the Dormitory Authority to invite bids and to award contracts for the work.

EXPLANATION: The Contract presently considered comprises the second package in "Fast Track" construction procedures for the York College Academic Core project.

Because of current unusually protracted steel deliveries, the first package (Structural Steel, Steel Stairs and Metal Deck Contract Documents) was completed and advertised for bid prior to the Excavation and Foundation documents. These packages will be closely coordinated to permit a continuous construction operation. This will minimize the effect of continuing cost escalation, and permit more rapid completion of campus facilities.

The preliminary construction cost estimate (as of May 1974) for the Excavation and Foundation work was \$2,006,163 which, when escalated to bid date, projects a bid estimate of \$2,192,879.

The final estimate of \$2,234,950 is above the preliminary escalated estimate by \$42,071. This is due to refinement of the Excavation/Foundation design and changes in requirements of Electrical Vaults during the contract document phase. The architect will adjust future bid packages to compensate for this overage to maintain the approved construction cost limitation of \$51,974,267.

The plans for the Excavation/Foundation Contract have been received and accepted by the College, the University Office of Campus Planning and Development and The Dormitory Authority of the State of New York. It is recommended that the final plans, etc., be accepted and authorization to invite bids and to award contracts for the construction be granted.

D. SUPPLEMENTAL AGREEMENT H - CITY UNIVERSITY ISSUE:

RESOLVED, That the approval of the Board on June 18, 1973 (Cal. No. 12A) which approved an Agreement of Lease dated as of June 20, 1973 (Senior College Issue) and an Agreement of Lease dated as of June 20, 1973 (Community College Issue) be amended to rescind the Board's approval of the first (Senior College) Lease Agreement; and be it further

RESOLVED, That the approval of the Board on November 25, 1974 (Cal. No. 4.I.F.) which approved an Agreement of Lease dated November 18, 1974 (Senior College Issues) is hereby rescinded; and be it further

RESOLVED, That the form and substance of the proposed supplemental Agreement H, dated as of December 17, 1974, which document bears title page which reads: "DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND CITY UNIVERSITY CONSTRUCTION FUND AND BOARD OF HIGHER EDUCATION IN THE CITY OF NEW YORK—SUPPLEMENTAL AGREEMENT H DATED AS OF DECEMBER 17, 1974 (CITY UNIVERSITY ISSUE)" is hereby approved; the Chairman of the Board is hereby authorized and directed to execute such Supplemental Agreement and to cause the seal of the Board to be affixed thereto; and the Secretary of the Board is hereby authorized 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 Supplemental Agreement H, changes, insertions and omissions may be made to such Supplemental Agreement as may be approved by the Chairman of the Board, and the execution by said Chairman of such Supplemental Agreement containing such changes, insertions and omissions, and the attestation by the Secretary of the Board shall be conclusive evidence of such approval.

EXPLANATION: The proposed Supplemental Agreement dated December 17, 1974, to the Agreement of Lease dated June 12, 1967 will provide for financing of new senior college facilities and will supersede the Senior College Lease Agreement dated June 20, 1973 and November 18, 1974.

E. AUTHORIZATION OF OFFICIAL STATEMENTS FOR SENIOR COLLEGE BOND ISSUES:

WHEREAS, In connection with the sale, from time to time, of Series of Bonds of the Dormitory Authority of the State of New York, pursuant to the Revenue Bond Resolution adopted June 12, 1967 (City University Issue) or the Revenue Bond Resolution adopted December 17, 1974 (City University Issue) as each has or may be supplemented from time to time, it is necessary that the Dormitory Authority issue an Official Statement with respect to each Series of Bonds (initially in the form of a preliminary or proposed Official Statement and subsequent to the sale of such bonds in the form of a final Official Statement); and

WHEREAS, Each such Official Statement, in both its preliminary or proposed and final forms, must necessarily contain certain information relating to the Board of Higher Education in the City of New York and to the senior colleges governed and administered by the Board; and

WHEREAS, The officers hereinafter set forth are best qualified to examine, appraise and approve the accuracy of any such statement in each such Official Statement;

NOW, THEREFORE BE IT RESOLVED, By the Board of Higher Education as follows:

SECTION 1. The following officers are hereby authorized and directed to examine any statements contained in any Official Statement of the Dormitory Authority relating to a Series of Bonds of the Authority issued pursuant to the above mentioned Revenue Bond Resolution, in its preliminary or proposed and final form, and, upon approval thereof, to deliver a letter to the Dormitory Authority, signed by at least three of such officers, stating in substance that the material contained therein, relating to the Board of Higher Education, The City University of New York and to the senior colleges governed and administered by the Board is true, which letter shall further state that in the opinion of the signers thereof such material is a fair and accurate statement relating to the Board of Higher Education, the City University and to the senior colleges governed and administered by the Board and that no material facts have been omitted. Such officers are as follows: The Chairman of the Board of Higher Education, the Chancellor and the Deputy Chancellor of the City University and the Vice-Chancellor for Budget and Planning.

SECTION 2. This resolution shall take effect immediately.

F. WINDOW REPLACEMENT AT LANGUAGE HALL AND PHILOSOPHY HALL - BRONX COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education accept the final contract drawings, specifications and cost estimate of \$65,000, as of bid date, for window replacement at Language Hall and Philosophy Hall, Bronx Community College, as prepared by Wank, Adams and Slavin, Architects; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the above mentioned final contract drawings, specifications and cost estimate and to authorize the Dormitory Authority of the State of New York to invite bids and award contracts for the work.

EXPLANATION: Heretofore, the Board of Higher Education at its September 23, 1974 meeting, Cal. No. 3 (II) J, approved the selection of Wank, Adams and Slavin, Architects, for the preparation of bidding documents for a number of items of urgent renovation and repair work at Bronx Community College. The window replacement at Language and Philosophy is estimated to cost \$65,000, as of bid date.

G. NORTH SITE CAMPUS SITE WORK - KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education accept the preliminary plans and outline specifications for North Site Improvement Construction Work at Kingsborough Community College at a cost not to exceed the Budget limitation of \$1,100,000, as prepared by Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde, Associated Architects; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforesaid preliminary plans, etc. and to authorize the Dormitory Authority to enter into an agreement with the Consultants for the completion of final plans, bid documents, etc. for the work.

EXPLANATION: The North Site Improvement Contract is the final contract for the phase I Construction Program for Kingsborough Community College. The work of this construction package involves the site and landscape development of approximately ten acres at the northerly end of the site. The work includes specifications, estimates and contract documents for paving, filling, storm water drainage, grading, roads, paved areas, walks and seeding. The cost limitation for this construction package falls within the total approved project limitation.

NO. 5. MEDICAL PROFESSORS - BIOMEDICAL PROGRAM - THE CITY COLLEGE: RESOLVED, That the following resolutions, approved by the Committee on Fiscal Affairs and the Committee on Administrative Affairs, be approved:

(1) RESOLVED, That the Memorandum of Understanding between the Board of Higher Education and the Professional Staff Congress, dated December 20, 1974, in regard to certain titles in The City College Biomedical Program be approved.

EXPLANATION: The Board of Higher Education at its meeting on December 17, 1973 (Cal. No. 2) approved six new professional titles for The City College Biomedical Program. It was recognized that special salary scales would have to be established in order to attract the highly qualified medical personnel needed to make the Program effective.

Accordingly, the following Memorandum of Understanding was signed by the Chancellor and the Vice-Chancellor for Faculty and Staff Relations on behalf of the Board of Higher Education, subject to its approval, and by the President and Executive Director of the Professional Staff Congress:

MEMORANDUM OF UNDERSTANDING

WHEREAS, The Board of Higher Education of the City of New York ("the Board") and the Professional Staff Congress/CUNY ("PSC") are desirous of reaching an understanding in the matter involving the titles established for the Center for Biomedical Education of The City College of New York, it is now therefore agreed:

1. The Board recognizes the PSC as the exclusive negotiating representative for members of the instructional staff in the following titles:

Medical Professor (Basic Sciences)
Associate Medical Professor (Basic Sciences)
Assistant Medical Professor (Basic Sciences)

Medical Professor (Clinical)
Associate Medical Professor (Clinical)
Assistant Medical Professor (Clinical)

2. The Board and the PSC agree that the following salary ranges shall be applicable to the titles:

Medical Professor (Basic Sciences)	\$30,000-\$40,000
Associate Medical Professor (Basic Sciences)	25,000- 35,000
Assistant Medical Professor (Basic Sciences)	20,000- 30,000
Medical Professor (Clinical)	39,000- 54,000
Associate Medical Professor (Clinical)	34,000- 45,000
Assistant Medical Professor (Clinical)	30,000- 40,000

3. The Terms and Conditions of employment for the above titles shall be those contained in the bylaws of the Board and the written policies of the Board and, in addition, the following provisions only of the current Agreement between the Board and the PSC shall be applicable to the Medical Professorial titles:

Article 3 - Unit Stability
 Article 4 - Check-off and Agency Shop
 Article 8 - Non-Discrimination
 Section 20.3 - Informal Procedure for Handling Complaints
 Article 26 - Welfare Benefits
 Article 27 - Retirement

Positions taken by the parties in respect of this item shall not constitute a precedent.

4. This memorandum having been agreed upon 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 shall become effective upon its adoption by the Board of Higher Education.

5. This Memorandum, with the exception of item 1, shall expire on August 31, 1975. Terms and conditions of employment for Medical Professorial titles shall be topics for negotiation between the parties at the forthcoming negotiations for a subsequent general agreement between the PSC and the Board.

(2) **RESOLVED**, That appointees to the titles, Medical Professor (Basic Sciences) and Medical Professor (Clinical), in The City College Biomedical Program shall be employed on a calendar year (12-month) basis and effective September, 1974, shall receive compensation based on the salary ranges established in the Memorandum of Understanding adopted by the Board (January 27, 1975, Cal. No. 5.1.); and be it further

RESOLVED, That as a condition precedent to employment in the titles of Medical Professor (Basic Sciences) and Medical Professor (Clinical), each appointee shall agree that fees deriving from clinical practice of medicine shall be the property of The City of New York and shall be remitted thereto.

EXPLANATION: These resolutions establish employment practices which are comparable to those in medical programs elsewhere. Pursuant to the resolutions, appointees may conduct an outside practice, but the fees deriving therefrom are to be property of the City while the appointee is compensated by salary. The fees are not attributed as income to the appointee.

NO. 6. UNIVERSITY REPORT: The Chancellor reported that bids had been received below the bid estimates on the York College excavation project and on the next phase of the Hunter College Building Program.

NO. 7. GENERAL DISCUSSION: (a) Dr. Goldin read into the record the following statement about the need and the obligation to preserve and nourish the exercise of academic freedom in the University:

I had originally intended, as Chairman of the Committee on Academic Affairs, to make some extensive observations about the quality of academic freedom in our University and our solemn obligation to preserve and nourish the exercise of this freedom.

Mr. Chairman, I would hope that it is really unnecessary to make any exhortation on the need to maintain intellectual freedom on our campuses, and our responsibility to ensure that scholars and teachers in our University are protected in their exercise of it.

In my opinion, Mr. Chairman, this freedom can be compromised, if not fatally subverted, not only by overt reprisals for its exercise, but also by the covert retribution represented by the threat or fear of punishment. The value of freedom of thought and expression within our academic community is not diminished, in any way, because error may, at times, arise from its exercise.

I hope that this Board, in view of recent well-publicized incidents, reaffirms its absolute commitment to the principle of academic freedom.

(b) The Chairman congratulated Jay Hershenson on his reelection as Chairman of the University Student Senate.

In accordance with the previous announcement made by the Chairman that at the completion of the formal agenda, the Board would hear persons who had requested permission to speak on the subject of budget reductions, the formal meeting was terminated at 5:40 P.M. The members of the Board then heard a list of speakers representing the Professional Staff Congress, faculty and students at different colleges.

ETTA G. GRASS
Acting Secretary of the Board