

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

HELD

SEPTEMBER 22, 1975

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

The Chairman called the meeting to order at 5:00 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**

Jay Hershenson, ex officio

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 A. de Leon
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
President Robert E. Marshak
President Harold M. Proshansky
President Donald H. Riddle**

**President Kurt R. Schmeller
President Harold M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
President Clyde J. Wingfield
Professor David Valinsky
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor Mary P. Bass
Vice-Chancellor Timothy S. Healy
Vice-Chancellor Anthony Knerr
Vice-Chancellor J. Joseph Mieng
Vice-Chancellor Peter S. Spiridon**

The absence of Mrs. Quinones and Mrs. Valle was excused.

A. NEW BOARD MEMBER: The Chairman officially greeted Mr. Jay Hershenson as a new non-voting ex officio member of the Board under the legislation that was adopted by the New York State Legislature and signed by the Governor.

B. NATIONAL STUDENT ASSOCIATION: The Chairman announced that the former executive secretary of the University Student Senate, Ms. Clarissa Gilbert, has been elected president of the U.S. National Student Association.

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 September 22, 1975 (including Addendum Items) be approved, as amended as follows:

(a) Item BI.8.1 (York College): Delete designation of an Associate Dean for Executive Services in the President's Office.

(b) Item BI.20.1 (Graduate School): Delete designation of an Asst. Vice President.

(c) Items listed in PART E - ERRATA, to be withdrawn or changed, as indicated.

EXPLANATION: The Chancellor's Report consists of those resolutions and actions of a non-policy nature which require approval by the Board of Higher Education.

NO. 2. APPROVAL OF MINUTES: RESOLVED, That the minutes of the Board of Higher Education for the following meetings be approved as circulated:

October 28, 1974
November 25, 1974
December 16, 1974

NO. 3. COMMITTEE ON FISCAL AFFAIRS AND PLANNING: RESOLVED, That the following items be adopted:

I. FISCAL RESOLUTIONS:

A. 1976-77 CAPITAL BUDGET:

In moving the resolution Mr. Williams made the following statement:

The items which can be identified as Operating Budget items have been included in the Capital Budget at the request of the City. By approving this budget our Committee and the Board are aware that the priorities which it reflects will have to be significantly redeveloped, given the fiscal situation of the City, and the Committee intends to redesign those priorities and present them to the Board. Pending that review I move approval of the resolution.

The resolution was seconded by Mr. Cantarella. The following resolution was adopted:

RESOLVED, That the Board approve a request to the City Planning Commission to include funds for the following projects in the 1976-77 New York City Capital Budget as follows:

PROJECT TITLE	1976 - 77 CAPITAL BUDGET REQUEST
HN 60 City University Staff & Administrative Expenses of the Office of Campus Planning & Development & Campus Facilities Offices at Senior Colleges, in Connection with the Building Program	\$ 2,500,000
HN 191 City University, Purchase of Electronic Data Processing Equipment for Instructional Research & Administrative Purposes in the Senior Colleges	\$ 2,900,000
HN 192 City University, Purchase of Electronic Data Processing Equipment for Instructional Purposes in the Community Colleges	\$ 585,000
HN 193 City University, Consultant Services & Other Costs in Connection with Planning of the Building Program for the Community Colleges	\$ 350,000
HN 203A City University, Library Books, Education & Office Equipment & Related Costs, Senior Colleges	\$ 10,800,000
HN 203B City University, Rehabilitation, Alterations to Existing Buildings	\$ 4,400,000
HN 206 City University, Alterations to Existing Buildings, Campuses & Equipment, Community Colleges	\$ 568,000 \$ 567,000 s \$ 1,135,000
HN 217 Studies by City University of New York & Other Institutions of Higher Learning within New York City	\$ 1,700,000
HN 223 City University, Purchase of Trucks & Other Heavy Automotive Equipment including Replacement Automotive Vehicles, Community Colleges	\$ 185,000
HN 225 City University and N.Y. Public Library, Purchase of Books & Computer Equipment Pursuant to Affiliation Agreement with N.Y. Public Library	\$ 1,500,000

PROJECT TITLE	1976 - 77 CAPITAL BUDGET REQUEST
HN 231 Rockaway Estension Queensborough C.C.	\$ 200,000
Rehabilitation of Buildings to Assist Handicapped	\$ 1,220,000
Energy Efficiency Studies	\$ 500,000
Telephone Savings Studies	\$ 200,000
Total City Capital Funds	\$ 27,608,000
Total State Funds	\$ 567,000 s
Grand Total - Capital Projects	\$ 28,175,000
 PROJECTS OUTSIDE CERTIFICATE	
City Payment to the City University Construction Fund for Senior and Community Colleges	\$ 37,594,000 oc
State Matching Payment	\$ 37,594,000 s
Total	\$ 75,188,000
Vocational Education Programs of the City University	\$ 50,100,000 oc
Library Books, Education and Office Equipment for Community Colleges	\$ 1,200,000 oc
Total Capital Funds Outside Certificate	\$ 88,894,000 oc
Total State Funds	\$ 37,594,000 s
Total Projects Outside Certificate	\$126,488,000

s - State funds

oc - funds outside certificate

EXPLANATION: Major new construction for the Senior and Community Colleges in 1976-77 will be funded through the City University Construction Fund and the New York State Dormitory Authority. The University's 1976-77 Capital Budget has been constructed to fund as in the past the following capital and capital-related activities: renovations at the Senior and Community Colleges and purchase of computer equipment; purchase of education and office equipment and minor repairs at the senior colleges; purchase of library books for the New York Public Library, pursuant to an affiliation agreement, and for the Senior Colleges; purchase of automotive equipment for the Community Colleges. The 1976-77 Capital budget will also be used to support certain operating costs including personnel and consultant expenses related to capital planning, and expenditures for studies by the City University and other institutions.

The annual payment to the Construction Fund which is jointly shared by the City and State and funds for Vocational Education programs at the Community Colleges are included as information items in the Capital Budget authorized as part of the 10% Debt Limit Funds Outside the Mayor's Certificate.

B. ADOPTION OF STATE UNIVERSITY TRUSTEE REGULATIONS FOR COMMUNITY COLLEGE STATE AID PURPOSES:

RESOLVED, That the Board adopt the "Rules and Regulations of the Board of Higher Education on Limitations on Operating Costs for Purposes of State Financial Assistance for the Community Colleges of the City University of New York." These rules and regulations, upon approval by the State Director of the Budget, shall become effective July 1, 1975:

During the community college fiscal years commencing on and after July 1, 1975 State financial assistance for community college operating costs shall be determined by the Board pursuant to section 6304 of the Education Law as follows:

A. Definitions for these regulations:

- (1) Net operating costs. Gross operating expenditures less actual offsetting operating revenues including Federal aid and actual operating expenditures not allowable for State aid.
- (2) Net operating budget. Gross operating budget less budgeted offsetting revenues including Federal aid and appropriations not allowable for State aid.
- (3) Rental cost for physical space. The costs of rented physical space excluding costs of such services as electricity, gas, heat or janitorial services where the expenses of the latter types of services are included in the rental charges.
- (4) Disadvantaged students. Students eligible for supplemental financial assistance in education opportunity programs under criteria established by The City University of New York, pursuant to section 6452 of the Education Law and Subpart 27-2 of Part 27 of Chapter 1 of Title 8 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (rules of the Board of Regents).
- (5) Disadvantaged in the population of the City of New York. Recipients of welfare assistance under the medical assistance program, old-age assistance, aid to the disabled, assistance to the blind, home relief, and aid to dependent children as reported by the New York State Department of Social Services
- (6) Full-time equivalent student. A hypothetical student who has enrolled in a course load consisting of 30 semester credit hours or 45 quarter credit hours, or the equivalent of such credit hours in the case of non-credit course offerings, during the course of one community college fiscal year.
- (7) Full-time equivalent teaching faculty. One full-time teaching position. To ascertain full-time equivalent teaching faculty, divide the total class hours taught by the average class hours taught by the full-time teaching faculty at the college. For example, where 100 full-time teaching faculty teach 3,200 class hours during the academic year, the average class hours taught by the full-time teachers is 32 and where a total of 3,856 class hours are taught during the fiscal year, the number of full-time equivalent teaching faculty would be 120.5 (3,856 divided by 32).
- (8) Costs of instruction and departmental research. The costs of personal services, equipment and contractual expenses for instruction and departmental research for the day and evening sessions, winter intersessions, and summer sessions of the college.
- (9) Full-time students. A student who is enrolled in a minimum of 12 credit hours or credit hour equivalents of academic work per semester or quarter.
- (10) Technical programs. Certificate and diploma programs in the sciences and technologies and all associate in science, associate in applied science and associate in occupational studies degree programs with the exception of the following business curricula and options and local variations of these program names:

Accounting
 Advertising
 Banking, Insurance and Real Estate
 Business Administration
 Business Administration - Automotive Marketing
 Court Administration
 Fashion Buying & Merchandising
 Health Services Management Technology
 Industrial and Labor Relations
 International Trade and Travel
 Marketing

Marketing - Industrial
 Marketing - International Trade
 Marketing Management & Sales
 Office Management
 Retail Business Management
 Sales Management
 Secretarial Science and Options
 Small Business Operations
 Textile and Apparel Marketing
 Traffic & Shipping
 Transportation & Distribution Management

(11) Diploma and certificate programs. Those programs approved by the Board and the State Education Department as leading to a recognized credential, either diploma or certificate.

B. Before approving the budget of the community colleges, the Board shall review such budget and may make such adjustment thereto, either in aggregate amount or in items therein, as it may deem appropriate with respect to the programs and operation of the community colleges and in relation to the maximum limitations on State operating assistance for the community colleges prescribed herein. Nothing herein contained shall be deemed to require the approval of the operating budget at the amounts as herein limited nor to prevent the operation of the community colleges in excess of the amount of the costs approved in accordance with the limitations provided for in these regulations, provided such excess costs are authorized by the Board and shall not be borne and paid for or otherwise made available by the State of New York unless otherwise specifically provided for.

C. Basic State financial assistance. (1) Full opportunity community colleges. The basic State financial assistance for the City University community colleges if implementing an approved full opportunity program shall be the lowest of the following:

i. Two-fifths of the net operating budget of the community colleges as approved by the Board.

ii. Two-fifths of the net operating costs of the community colleges.

iii. The total of the following:

(a) The budgeted or actual number (whichever is less) of full-time equivalent students enrolled in programs eligible for State financial assistance multiplied by \$670 plus a \$35 increment for each of the following conditions which the colleges meet:

1. The ratio of the number of full-time equivalent students to the number of full-time equivalent teaching faculty is no less than 17.5 to 1;

2. The cost of instruction and departmental research determined in accordance with the uniform system of accounts for the community colleges is no less than 50 percent of the total operating cost of the colleges after deduction of rental cost for physical space;

3. The financial contribution to the operating costs of the colleges, by the City of New York, is no less than the equivalent in dollars of one-half mill (50 cents per \$1,000) as calculated against the total valuation of taxable real property in such city as most recently tabulated by the State Board of Equalization and Assessment;

(b) The budgeted or actual total average number (whichever is less) of full-time disadvantaged students multiplied by \$180 if the average number of full-time

disadvantaged students coming from the City of New York as a percentage of the total average number of full-time students coming from the City of New York is no less than the average number of disadvantaged in the population of the City of New York for the calendar year immediately preceding the year in which the community college fiscal year commences as a percentage of the total population in the City of New York, as reported in the most recently available census;

(c) Two-fifths of rental cost for physical space.

(2) Non-full opportunity colleges. The basic State financial assistance for the community colleges if not implementing an approved full opportunity program shall be the lowest of the following:

i. One-third of the net operating budget of the community colleges approved by the Board.

ii. One-third of the net operating costs of the community colleges.

iii. The total of the following:

(a) The budgeted or actual number (whichever is less) of full-time equivalent students enrolled in programs eligible for State financial assistance multiplied by \$558 plus a \$29 increment for each of the following conditions which the colleges meet:

1. The ratio of the number of full-time equivalent students to the number of full-time equivalent teaching faculty is no less than 17.5 to 1;

2. The cost of instruction and departmental research determined in accordance with the uniform system of accounts for the community colleges is no less than 50 percent of the total operating cost of the colleges after deduction of rental cost for physical space;

3. The financial contribution to the operating costs of the colleges, by the City of New York, is no less than the equivalent in dollars of one-half mill (50 cents per \$1,000) as calculated against the total valuation of taxable real property in such jurisdiction as most recently tabulated by the State Board of Equalization and Assessment;

(b) The budgeted or actual total average number (whichever is less) of full-time disadvantaged students multiplied by \$150 if the average number of full-time disadvantaged students coming from the City of New York as a percentage of the average number of total full-time students coming from the City of New York is no less than the average number of disadvantaged in the population of the City of New York for the calendar year immediately preceding the year in which the community college fiscal year commences as a percentage of the total population in the City of New York area, as reported in the most recently available census;

(c) One-third of rental cost for physical space.

(3) Notwithstanding the provisions of paragraphs (1) and (2) of this subdivision a community college or a new campus of a multiple campus community college in the process of formation shall be eligible for basic State financial assistance in the amount of one-third of the net operating budget or one-third of the net operating costs, whichever is the lesser, for those colleges not implementing an approved full opportunity program plan, or two-fifths of the net operating budget or two-fifths of the net operating costs, whichever is the lesser, for those colleges implementing an approved full opportunity program, during the organization year and the first two fiscal years in which students are enrolled.

(4) Notwithstanding the provisions of paragraphs (1) and (2) of this subdivision, in no event shall the community colleges receive less aid than they did in the 1974-75 fiscal year, subject to such additional limitations as may be prescribed by the Board, in accordance with supplemental budgetary authorizations as may be enacted by the 1975 legislature.

D. Supplemental State financial assistance. The community colleges shall be eligible for supplemental State financial assistance in the 1975-76 community college fiscal year in the amount of \$150 for each full-time equivalent student enrolled in technical programs, the actual number of which shall be certified by the Chancellor to the Board. Such supplemental State financial assistance shall be made available only if the colleges' revenues from the City of New York's contributions either in the aggregate or per full-time equivalent student coming from the City of New York, and full-time and part-time tuition rates, are maintained at not less than the comparable actual rates in the 1974-75 community colleges fiscal year. The total State aid paid for the City University community colleges for the 1975-76 community college fiscal year may exceed the statutory limitations of one-third or two-fifths of operating costs of the colleges only if the amount of aid for full-time equivalent students in technical programs approved for the colleges pursuant to these regulations would cause the statutory limitations to be exceeded. In such cases the amount that the total State aid may exceed the statutory limitations shall not be greater than the amount of supplemental State financial assistance approved pursuant to these regulations for full-time equivalent students in technical programs.

EXPLANATION: Under Chapter 332 of the Laws of 1975, the community colleges formerly sponsored by the Board were formally made a part of the City University, administered by the Board under Article 125 of the Education Law. Subdivision B of Section 6216(2) of the Education Law, as added by said chapter, provides that the amount, methods and procedures for the payment of state aid to the community colleges administered by the Board shall continue to be governed pursuant to Section 6304 of the Education Law and any rule or regulation promulgated pursuant thereto. Any reference contained in Section 6304 to the approval of the State University Trustees for such state aid purposes is deemed to mean and refer to the approval of the Board and any reference to a community college in Section 6304 is deemed to mean and refer to a community college administered by the Board. It is further provided in subdivision B of Section 6216(2) that any rule or regulation approved by the Board, for such state aid purposes, shall be the same as any rule or regulation promulgated by the State University Trustees, as approved by the State Director of the Budget.

The rules and regulations hereby adopted parallel Section 603.4 of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, as adopted by the State University Trustees on June 25, 1975, and as approved by the State Director of the Budget on July 8, 1975.

In conformity with the Education Law, the community colleges of the City University are treated in the attached rules and regulations as a "single community college" for the purposes of the budgeting and expenditure of state funds and for the purpose of determining eligibility for state financial aid for operating costs.

II. TRUSTS AND GIFTS RESOLUTION:

A. APPOINTMENT OF INVESTMENT COUNSEL:

RESOLVED, That Brundage, Story and Rose be reappointed as investment counsel for the period October 1, 1975 - June 30, 1976 for the Investment Pool, Baruch Endowment Fund, and Morton Wollman Fund, the fee to be three-fourths of the annual fee which will be the same as last year; and be it further

RESOLVED, That Shearson Hayden Stone, Inc. be reappointed as investment counsel for the period October 1, 1975 - June 30, 1976 for the Voorhees Endowment Fund and the Silberman Scholarship Fund, the combined fee for both funds for the period to be three-fourths of the annual rate of \$16,000.

EXPLANATION: The Board of Higher Education uses investment counsel to provide professional assistance in managing its trusts and gifts activities. Upon review of recent performance, the Committee recommends continuation of investment counsel as stated above.

Mr. FitzPatrick asked to be recorded as Not Voting on the reappointment of Shearson Hayden Stone, Inc.

III. CAMPUS PLANNING AND DEVELOPMENT RESOLUTIONS:**A. CITY COLLEGE - EXTERIOR RESTORATION OF SHEPARD HALL:**

RESOLVED, That the Board approve a service contract with John Louis Wilson FAIA, Architect, 209 West 125th Street, New York, New York 10027 for the preparation of complete Drawings (Preliminary and Final), Specifications (Outline and Final), Estimates of Cost (Preliminary and Final), and the Checking of shop drawings and construction inspection for the exterior restoration of Shepard Hall at City College at a fee of \$58,710 not to exceed \$67,098 chargeable to Capital Project No. HN-203 based on an estimated construction cost of \$745,360; and be it further

RESOLVED, That the Director of the Budget be requested to approve said contract in the amount of \$58,710 not to exceed \$67,098, chargeable to Capital Project No. HN-203.

EXPLANATION: Shepard Hall was built about 1905 and over the years the exterior of the building has been deteriorating to a point that it is now in serious need of repair. Many of the decorative Terra Cotta elements such as parapet copings and window trim are cracked and represent a hazardous condition. The exterior masonry walls need considerable pointing and sealing. Some of the wood window sash has rotted out and requires replacement painting and re-glazing will also need to be done.

The consultant under this contract will review and recommend various procedures for renovation and repair and prepare the necessary contract documents. The college does not have the personnel to do this work. It is for these reasons we request this contract be approved.

B. HUNTER COLLEGE - REHABILITATION OF HEATING AND VENTILATING SYSTEM:

RESOLVED, That the Board of Higher Education approve final plans, specifications and final estimate of cost for Project HM-669-B, and authorize Hunter College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for furnishing all tools, labor and material necessary and required for Partial Rehabilitation of the Heating and Ventilating System at Hunter College, 695 Park Avenue, New York, N.Y., as prepared by Harold Hecht Associates, Engineers, at an estimated construction cost of \$217,255.00, which includes 5% contingencies and 5% escalation, chargeable to Capital Project HN-203-0607-12-53 Repairs General - subject to financial ability.

EXPLANATION: Preliminary contract documents were approved by the Board of Higher Education on May 29th, 1973, and the Bureau of the Budget issued certificate No CP-9052 on June 19th, 1973. The urgency of this project cannot be stressed enough. Project HM-669-B, Partial Rehabilitation of Heating and Ventilating System, is necessary because there are constant break-downs of the equipment and there are absolutely no replacement parts available due to the age of the original installation. Also, this equipment is located in many parts of the College, from the sub-cellar to the 17th floor, and attendance by maintenance crew is very demanding.

C. QUEENS COLLEGE - CONSTRUCTION OF NEW SCIENCE BUILDING:

RESOLVED, That the Board accept preliminary plans, outline specifications and preliminary construction cost estimate of \$18,796,000 (as of July 1, 1975) for construction of the New Science Building for Queens College as prepared by Davis, Brody and Associates, 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 complete final plans, bid documents, etc. for the work.

EXPLANATION: The proposed New Science Building is a three-story concrete structure with partial basement. It contains Instructional Laboratories, Research Space and Services, Faculty Offices for the following science disciplines: Biology, Chemistry, Earth Environmental Sciences, Physics, Psychology. This building also contains special facilities such as Computer Science Space and four Lecture Halls with a capacity of 120 seats each which are intended to be used by the entire College.

The facility will contain 136,360 net square feet of space in a building area of 225,000 gross square feet. (Efficiency ratio of 1.64.)

The construction work will be progressed on a "fast-tracked" basis to provide the new facilities as rapidly as possible and to minimize the effect of inflationary construction cost trends.

The budget estimate of January, 1974 of \$15,750,000 escalated to July, 1975 is \$18,805,500. The Architect's preliminary estimate of \$18,796,000 is less than the approved escalated budget estimate.

The preliminary plans, outline specifications and cost estimate have been reviewed by the College, the Office of Campus Planning and Development and the Dormitory Authority and acceptance by the Board is recommended in order that the Architects may proceed with development of final plans, specifications and cost estimates for bidding.

NO. 4. COMMITTEE ON ACADEMIC AFFAIRS: RESOLVED, That the following item be adopted:

A. GRADUATE SCHOOL - M.A. IN ANTHROPOLOGY, PHILOSOPHY, LINGUISTICS, AND POLITICAL SCIENCE:

RESOLVED, That the Graduate School be authorized to award the M.A. Degree in Anthropology; Philosophy; Linguistics; and Political Science.

EXPLANATION: M.A. programs in these areas have been eliminated from one or more CUNY colleges as part of an effort to consolidate the University's graduate programs. The graduate School requires authority to award the M.A. degree in the fields listed above in order to enable students to transfer from CUNY senior colleges to the Graduate School where they will complete their degrees.

The M.A. program in Anthropology was eliminated from Brooklyn College and City College; the M.A. program in Linguistics from City College, Hunter College and Queens; the M.A. program in Philosophy from Brooklyn College, City College, Hunter College, Lehman College and Queens College; and the M.A. program in Political Science from Brooklyn College, City College, Hunter College and John Jay College.

NO. 5. POLICY STATEMENT ON ACADEMIC PERSONNEL PRACTICE: RESOLVED, That the Statement of the Board of Higher Education on Academic Personnel Practice in The City University of New York be adopted effective January 1, 1976, and that the bylaws of the Board of Higher Education be revised as may be necessary to implement the Statement:

In the past year, the Commission on Academic Personnel Practice made an extensive study of all policies and procedures concerning faculty personnel matters in the City University, and submitted its report to the Board of Higher Education in October 1974. In its deliberations the Commission heard testimony from a number of faculty members, students and administrators. Since the report was submitted, the University Faculty Senate, the University Student Senate, and the Professional Staff Congress, have all offered their views to the Board. The Chancellor, together with the Council of Presidents, have submitted their own recommendations to the Board. After reviewing all the pertinent documents, the Board hereby adopts the following as policy in matters of academic personnel practice:

I GENERAL POLICY:

(1) The Board recognizes the historic tradition which vests both the privileges and responsibilities of academic governance in the faculty of a college. The faculty, as the body chiefly responsible for the educational mission as well as for academic standards, is that part upon which the health of the whole institution depends. In this role, the faculty has a long tradition of collegiality, in which its various educational responsibilities are freely shared among its members.

Central to the exercise of this collegial responsibility is the practice of peer judgment, by which the faculty assumes the responsibility for its own vitality. In this role, the faculty sets standards for its own qualifications, ethics and performance. The collegial body itself maintains such standards by the exercise of its own authority. But such authority, if freely consented to, must be responsibly and regularly exercised. Thus, the willingness of the faculty to judge itself rigorously determines its capacity to define the institution's mission and to maintain its standards.

As the executive agent of the college, of the Board as well as the principal academic officer, the President plays a pivotal role in all faculty personnel matters at the college level.

The President, as the person ultimately responsible to the Board of Higher Education, is accountable for seeing that the mission of the college fits into the broader mission of the University. Within the college itself, the President, in his capacity as principal academic officer, is similarly responsible for bringing to bear on all faculty personnel matters a broader institutional concern.

The President must thus be the guarantor of the integrity of all faculty personnel processes. He must be accountable for the overall quality and appropriateness of the faculty at his institution. And he must also be the educational leader of the faculty.

In the daily administration of academic personnel practice at the college, the President shall be responsible for introducing into all faculty personnel deliberations those college-wide considerations which make a faculty decision both feasible and rational. In practice, the President shall be responsible for making known information on all institutional factors, such as projected enrollment, budgetary matters, program priority, which must be taken into account at every level of personnel action. The President shall be held accountable for seeing that such pertinent institutional information is assembled, and that those faculty concerned with personnel decisions are familiarized with it in a timely fashion for their deliberations.

(2) Department chairmen shall hold professorial rank (assistant professor, associate professor or professor) and be tenured at the time of election. In cases where a department has two or fewer such members, the President may, after consultation with the departmental faculty, appoint the chairman.† Colleges and/or departments in existence for less than seven years may be exempt from compliance with this requirement for a period of up to seven years from the date they became functional.

In those instances where an individual is recruited to serve as chairman from an institution outside of the City University, the requirement for tenure may be waived.

(3) a. No faculty member who does not hold senior rank (associate professor or professor) shall vote on any promotion to full professor. It is the intent of the Board that faculty decisions concerning tenure shall be rendered by committees composed predominantly of tenured members. Accordingly, no more than one non-tenured faculty member should serve on departmental personnel and budget committees. This provision shall not apply to new colleges or newly organized departments which have fewer than five tenured faculty members.

b. In newer colleges or newly organized departments where there are too few faculty members available to serve on faculty personnel committees for the actions in 3.a. above, the President, after consultation with the faculty, shall create an ad hoc committee to decide on those personnel actions.

(4) The Board reaffirms its commitment to the consideration of student evaluations in faculty personnel decisions involving reappointment, promotion and tenure, according to the provisions in the governance plan in effect at each college.

(5) The senior faculty shall have special responsibilities for maintaining the academic vitality of their departments. One of the principal means of exercising this responsibility is the continuation of peer evaluations of members of the faculty, with special attention to their diligence in teaching and professional growth. Another chief responsibility of the senior faculty is to orient their junior and newly appointed colleagues. Senior faculty shall be available for such consultation and assistance in problems of both scholarship and teaching as the junior faculty may require, and this mandate shall be considered a part of the professional obligations of the permanent faculty.*

II RECRUITMENT:

The Board agrees with the findings of the Commission on the nature and scope of the recruitment process at the various colleges of the University. It fully supports the Commission's understanding that the quality of all faculty personnel decisions and of the faculty itself, depends upon the quality of the initial recruitment effort.

(1) The recruitment process is essentially a continual one. Because of the City and State structures within which the University's budget process operates, the University cannot expect to clarify the availability of budget lines before the late Spring of a given academic year. Because of this the recruitment effort for any full-time faculty appointment should normally be of at least one year's duration. When an appointment must be made without such an effort, the candidate appointed shall be apprised that the search is continuing.

(2) The primary responsibility for recruitment shall rest with department chairmen, who in turn are responsible for the work of the personnel committees which they chair. Department personnel committees shall be accountable for their recruitment efforts, and they shall maintain written records of the recruitment process.*

(3) Each position for which a department recruits must be justified and defined on the basis of the following criteria:

a. The need for the position must be clearly established in the context of such department factors as the current state of its faculty in terms of age, rank and areas of specialization, the development of new aspects of the discipline, future needs of new programs, and projections of student enrollment.

b. The need for the position must be clearly established within the context of such college-wide factors as long-range plans and budget priorities which have been set for departmental consideration under 1,1. The President, after consultation with the faculty and appropriate governance bodies, shall also have final responsibility for setting college-wide priorities for recruiting.

c. Those academic and professional credentials and qualifications which are appropriate to the position and rank, in conformity with the needs as determined by (a) and (b) above, must be clearly established.

d. A full statement, of the terms and conditions of employment, and of the statutory evaluative criteria and procedures for reappointment and tenure, shall be given to all candidates.

(4) When the need for a position is clearly established on the basis of the criteria above (II,3), the department shall mount a recruiting effort on a national scale that includes but is not limited to the following features:

- a. notice that the University is an equal opportunity employer;
- b. advertisement, including all pertinent data concerning the position in the appropriate scholarly and professional journals and periodicals;
- c. notice of the position throughout the University, including at the appropriate departments of the various colleges, for the benefit of any employees, part-time or full-time, who might be qualified;
- d. full consideration of all unsolicited applications in the possession of the recruiting department and college as well as all adjunct faculty who wish to be considered;
- e. maintenance of written records on the procedures used in the recruitment effort and in selecting a candidate to recommend for appointment. Such records must include whatever other data may be required for compliance with the federal affirmative action regulations. The records shall also include verification of the credentials of the candidates presented to the Board of Higher Education for appointment, and of the proper observance of announced closing dates for application.

(5) There shall be a University standard letter of appointment.

(6) The Chancellor will publish annually an analysis of the University's recruitment procedures, a sampling of its recruitment records, and his own judgment as to the adequacy of the recruitment effort. This report will attempt to analyze and evaluate each college's performance, but will not focus on individual cases.

III REAPPOINTMENT:

The Board reaffirms the Commission's insistence that the decision to reappoint and the decision to tenure are two separate and distinct acts. Similarly, the Board reaffirms its position that no appointment carries with it the presumption of reappointments or of eventual tenure:

(1) In order to enhance and maintain flexibility in recruitment, appointment and reappointment, the Board authorizes the option of two-year appointments for full-time members of the instructional staff, in appropriate instances, at the discretion of the college.

(2) Decisions to reappoint faculty members shall take into account such institutional considerations as have been established and disseminated as a framework for all academic personnel actions.*

(3) The criteria upon which decisions to reappoint are based shall be as follows:

a. First Reappointment Candidates for reappointment at the end of their initial term of appointment on a full-time line shall be evaluated on the basis of the following criteria:

- (i) Teaching Effectiveness - There are a variety of ways, including classroom observation, to evaluate this criterion. The evaluation, however, should extend beyond the classroom, since the faculty members obligation to the students goes beyond normal class hours. Personnel committees should consider student evaluations as a factor in assessing the teaching effectiveness of an instructor.

(ii) **Scholarly and Professional Growth** - Candidates in tenure bearing titles for the first reappointment are expected to demonstrate their potential for scholarly work and their achievement in some of the following ways:

(a) Evidence of research in progress leading toward scholarly publication.

(b) Publication in professional journals.

(c) Creative works, show and performance credits, etc., when such are appropriate to the department.

(d) Development of improved instructional materials or methods.

(e) Participation in activities of professional societies.

(iii) **Service to the Institution** - Since all full-time faculty members share broad responsibilities toward the institution, work in departmental and college committee should be considered in over-all evaluations. Although it is understood that not all junior faculty members will have an opportunity to serve on important committees, their evaluation should consider evidence of their informal contribution to such committee work and their participation in other regular administrative activities such as governance, registration, advisement, library and cultural activities.

(iv) **Service to the Public** - A candidate, though not expected to do so for the first reappointment, may offer evidence of pertinent and significant community and public service in support of reappointment.

b. **Second and Subsequent Reappointments.** In addition to criteria for the first reappointment candidates for the second or subsequent reappointment shall be evaluated on the basis of the following criteria:

(i) **Teaching Effectiveness** - Evaluation of this criterion shall include contractual teaching observations and peer judgments; assessment of the instructor's effort and success in developing new methods and materials suited to the need of his students; and assessment of student evaluations, and of other non-classroom educational efforts such as academic advisement.

(ii) **Scholarly and Professional Growth** - Candidates for the second and subsequent reappointments are expected to offer evidence of scholarly contributions to their disciplines. Evaluations of the quality of such work may be sought from outside the department. Achievements in the period following the last reappointment should be evaluated on the basis of publications of scholarly works in professional journals, or reports of scientific experimentation; scholarly books and monographs, and evidence of work in progress; significant performance of show credits or creative work; and improved instructional materials and techniques that have been found effective in the classroom either in the City University or elsewhere.

(iii) **Service to the Institution** - Effective service on departmental, college, and university committees.

(iv) **Service to the Public** - Institutions of higher education are expected to contribute their services to the welfare of the community. Although such activities are a matter of individual discretion and opportunity, evaluation of a faculty member for reappointment should recognize pertinent and significant professional activities on behalf of the public. The absence of this contribution should not work to the disadvantage of any candidate for reappointment.

(4) Judgments on reappointment should be progressively rigorous. In the second and subsequent reappointments, a candidate should be able to demonstrate that he has realized some of his scholarly potential. Similarly, standards of acceptable performance as a teacher should be graduated to reflect the greater expectations of more experienced faculty members.

IV TENURE:

(1) The decision to grant tenure shall take into account institutional factors such as the capacity of the department or the college to renew itself, the development of new fields of study, and projections of student enrollment.*

(2) The criteria upon which decisions to tenure are based shall be as follows:

a. Teaching Effectiveness - Tenure appointments shall be made only when there is clear evidence of the individual's ability and diligence as a teacher.

b. Scholarship and Professional Growth - Evidence of new and creative work shall be sought in the candidate's published research or in his instructional materials and techniques when they incorporate new ideas or scholarly research. Works should be evaluated as well as listed, and work in progress should be assessed. When work is a product of a joint effort, it is the responsibility of the department chairman to establish as clearly as possible the role of the candidate in the joint effort.

The following factors may be supplementary considerations in decisions on tenure. The weight accorded to each will vary from case to case.

c. Service to the Institution - The faculty plays an important role in the formulation and implementation of University policy, and in the administration of the University. Faculty members should therefore be judged on the degree and quality of their participation in college and University government. Similarly, faculty contributions to student welfare, through service on committees or as an advisor to student organizations, should be recognized.

d. Service to the Public - Service to the community, state and nation, both in the faculty members's special capacity as a scholar and in areas beyond this when the work is pertinent and significant, should be recognized.*

(3) Tenure shall not normally be granted before the fifth annual reappointment. Only in exceptional cases may tenure be granted before that time: when appointment to the faculty at the University requires the continuation of tenure previously awarded by another institution of higher learning; when a prestigious fellowship valuable to the college concerned interrupts continuous service during the probationary period; or when some extraordinary reason indicates that the college would be well served by the early grant of tenure.*

(4) The Chancellor will publish annually a report on tenure in the University, which analyzes the actions of each college and contains such pertinent data as may be of assistance to the college in the management of tenure. The report will also contain the Chancellor's judgment on the quality of tenure procedures and actions.

V PROMOTION:

The Board fully supports the Commission's recommendation that the criteria established above for reappointment and tenure apply equally to decisions on promotion. It also reaffirms the Commission's caution that judgments on promotion be sufficiently flexible to allow for a judicious balance among excellence in teaching, scholarship, and other criteria.

When considering decisions on either promotion or tenure, personnel committees should bear in mind that the two judgments represent two distinct acts. Just as it would be unwise to promote those whose qualities for tenure are questionable, so it would be equally ill-advised to tenure those whose capacity for promotion to senior rank is judged to be limited.

(1) The criteria for promotion shall be as follows:

a. to Assistant Professor (technically a new appointment) - The candidate must possess the Ph.D. degree and submit evidence of qualification to meet, in due time, the standards required for the first reappointment. Those persons without the Ph.D. currently holding positions as Assistant Professors and instructors at the Community Colleges shall not be affected by this provision.*

Until the committee appointed by the Chancellor to study equivalencies and waivers has made its report, the bylaw statements dealing with equivalencies and waivers will remain in force.

b. to Associate Professor - The candidate shall present evidence of scholarly achievement following the most recent promotion, in addition to evidence of continued effectiveness in teaching; the candidate should thus meet the qualifications required above (IV,2) for tenure.

c. to Professor - The candidate must meet all the qualifications for an Associate Professor, in addition to having an established reputation for excellence in teaching and scholarship in his discipline. The judgment on promotion shall consider primarily evidence of achievement in teaching and scholarship following the most recent promotion.

EXPLANATION: This Statement is adopted by the Board of Higher Education to facilitate orderly and consistent procedures and standards of quality in the recruitment, reappointment, promotion and tenuring of faculty members in the City University. Hearings on this Statement were held at the meeting of the Board on June 23, 1975. At the July 28, 1975 meeting, the Board agreed to hold further discussions, after which the Statement would be placed on the agenda of the September Board meeting for action without further debate or hearing.

*The General Counsel to the Board shall be instructed to determine what, if any, change in the Board's bylaws is necessary to effect this new policy, and to prepare for the Board's approval such amendments as are deemed necessary. †Incumbent chairmen who do not meet these requirements should be permitted to fulfill the term of their chairmanship, and this should be effected in the implementation of the Policy Statement.

The Chairman noted that the phrase "and encourages student participation" was being withdrawn from Page 124, Paragraph 4, of the Policy Statement to allow for full consultation with all segments of the University community since it was a phrase not originally included in the Statement promulgated throughout the University.

Prof. Belle Zeller, President of the Professional Staff Congress, submitted for the record a statement in opposition on the ground that the Policy Statement violated the Taylor Law and the contract between the Board and the Professional Staff Congress.

NO. 6. SPECIAL COUNSEL TO THE BOARD, MEMORIAL RESOLUTION: WHEREAS, Arthur H. Kahn joined the legal staff of the Board of Higher Education in 1953 and served with distinction as General Counsel from 1967 to 1973 when he became Special Counsel to the Board; and

WHEREAS, His professional and personal integrity did much to uphold the standards and protect the reputation of the municipal colleges and the City University during periods of local and national turmoil which seriously affected the academic community; and

WHEREAS, his duties as General Counsel helped facilitate the formation of The City University of New York in 1961 and its immense growth, including the establishment of the Open Admissions policy; and

WHEREAS, The directness and openness with which he dealt with colleagues, officers of the University, public officials and the general public helped sustain confidence in the Board of Higher Education;

THEREFORE BE IT RESOLVED, That the Board of Higher Education herewith expresses its profound sorrow and deep sense of loss over his death on Friday, September 5, 1975, extends its deepest sympathy to his family and many friends, and notes with appreciation the efforts of his former colleagues to establish a scholarship in his honor at Queens College.

At this point Calendar No. 8 was considered.

NO. 8. GENERAL DISCUSSION: (a) The Chairman reported the receipt of a second letter from Commissioner Nyquist, an answer to which is being prepared. The Chairman also noted that the Board has asked for a meeting with the Board of Regents, which has been on record as favoring tuition.

(b) Mr. Jacobs expressed concern that the Schools of General Studies not be required to bear a disproportionate share of the colleges' financial burdens in the present fiscal crisis. Mr. Williams asked that the Presidents not single out any one segment of the colleges to bear a disproportionate share of the burden of retrenchment.

(c) The Chairman noted that a jocular remark made by Commissioner Nyquist about a telegram allegedly sent to him by a member of the Board of Higher Education had been written up seriously in The New York Times, thereby indicating, at the least, bad taste by a Board member. He pointed out that no such telegram had actually been sent. Mr. Williams asked to go on record as being critical of Commissioner Nyquist for releasing letters to the press before they were received and for the nature of the Commissioner's remark reported in the press.

(d) Dr. Goldin expressed concern that those responsible for academic planning should be aware of the fiscal situation and the need to defer approval or implementation of new programs involving the expenditure of additional tax levy funds.

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

(a) The Chancellor expressed his personal regret and sorrow and that of the staff of the Central Office on the passing of Mr. Arthur H. Kahn, a valued colleague for years.

(b) The Chancellor welcomed Mr. Jay Hershenson to the Board and congratulated Ms. Clarissa Gilbert on her election as president of the National Student Association.

(c) The Chancellor announced with regret the resignation of Mr. Robert Moulthrop to become Director of Public Relations of the Educational Testing Service in Princeton.

(d) In accordance with the Board's guidelines the colleges and the Central Administration have begun to adjust to the reductions in the University budget. Many of the actions taken have begun to affect the quality of the educational programs, but it is hoped that this can be arrested. A complete report on the impact of the reductions will be made by the Presidents by October 1 and reported to the Board.

(e) The Chancellor reported the creation of two task forces:

(1) To coordinate efforts to secure additional funding from the State. This consists of representatives of the Presidents, faculty, Professional Staff Congress, students, Committee on Public Higher Education, alumni groups.

(2) To consider possible restructuring of the University. The task force consists of representatives of the Presidents, faculty, students and Central Administration. It will examine the impact of a number of possible changes in the structure of the University, the ways in which it delivers its services, and the clientele it serves, to bring University expenditures within the budgetary level at which it may be expected to live in the next few years. Recommendations for possible changes will be brought to the Board as soon as they are available.

Upon motions duly made, seconded and carried, the meeting was adjourned at 5:45 p.m.

ETTA G. GRASS
Acting Secretary of the Board