

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

HELD

FEBRUARY 28, 1977

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

The Chairperson called the meeting to order at 5:37 p.m.

There were present:

**Harold M. Jacobs, Chairperson
Patricia Carry Stewart, Vice-Chairperson**

**Walter H. Crowley
Edith B. Everett
Nicholas Figueroa
Ronald T. Gault**

**Gurston D. Goldin
Albert V. Maniscalco
Harriet R. Michel
Emanuel R. Piore
David Z. Robinson**

David Valinsky, ex officio

Edward A. Roberts, ex officio

**Richard M. Catalano, Secretary of the Board
Mary P. Bass, General Counsel and Vice-Chancellor for Legal Affairs**

**Chancellor Robert J. Kibbee
President Milton G. Bassin
President Edgar D. Draper
President Candido A. de Leon
President John W. Kneller
President Leonard Lief
President Gerald W. Lynch
President Robert E. Marshak
Acting President Bernard Mintz
Acting President Nathaniel H. Siegel**

**President Harold M. Proshansky
Acting President Morton Rosenstock
President Joseph Shenker
President Herbert M. Sussman
President Richard D. Trent
President Edmond Volpe
President Jacqueline G. Wexler
Acting Vice-Chancellor Egon Brenner
Vice-Chancellor Julius C.C. Edelstein
Vice-Chancellor Anthony Knerr
Vice-Chancellor J. Joseph Meng**

The absence of Ms. Conway, Mr. D'Angelo and Mr. Olivero was excused.

A. PRESIDENT GEORGE N. SHUSTER - MEMORIAL RESOLUTION: Upon motions duly made, seconded and carried, the following resolution was adopted unanimously:

WHEREAS, George Nauman Shuster served Hunter College as President from 1940 to 1960; and

WHEREAS, During those two decades he gave creative leadership to faculty, students and alumni; and

WHEREAS, His extensive productivity as a man of letters added a special dimension to such leadership; and

WHEREAS, His distinguished service to his country and the world community as a statesman brought added lustre to the College; therefore be it

RESOLVED, That the Board of Higher Education herewith notes with profound sorrow his death on Tuesday, January 25, and extends deepest sympathy to his family and to those countless persons whose lives were touched by his greatness of spirit.

B. DEPUTY CHANCELLOR SEYMOUR C. HYMAN - APPRECIATIONS OF SERVICES:

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

WHEREAS, Dr. Seymour C. Hyman has served The City University of New York for 30 years in various capacities while forging a career that stands as an impressive tribute to the man himself and to the high productivity of the CUNY graduates; and

WHEREAS, He has served for the past seven and a half years as an executive officer of The City University of New York, bringing to the post of Deputy Chancellor his great experience as an able administrator and a dimension of exceptional humanitarianism, informed by an incisive grasp of the problems higher education faces today; and

WHEREAS, He has served also as Chairman of the board and president of the City University Research Foundation, and was responsible for administering an annual budget of more than \$30 million in support of faculty research; and

WHEREAS, He devoted twenty years of service to The City College of New York, his alma mater, from the post of lecturer in the Department of Chemical Engineering through a two-year assignment as Dean of Graduate Studies of the School of Engineering and Architecture, a period covering the start of the doctoral program until the award of the first Ph.D. degree; and

WHEREAS, His record for distinguished performance as a consultant for private research and engineering firms extends over twenty years, and his role as Special Examiner for the New York City Municipal Civil Service Commission for sixteen years; and

WHEREAS, The other appointments and honors he has received during his association with the City University have at once acknowledged his academic accomplishments, as well as the practical application thereof in the betterment of society; therefore be it

RESOLVED, That the members of the Board of Higher Education salute with deep appreciation Seymour Hyman's service to the University, acknowledge his dedication and achievement, and express regret at The City University of New York's loss, while wishing him every success as he assumes the presidency of William Paterson College of New Jersey.

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 February 28, 1977 (including Addendum Items) be approved, as amended as follows:

- (a) Item BRI 8.15 (York College): Delete resignation of Martin Kelly, Director, Computer Services.
- (b) 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 meeting of January 24, 1977 be approved as circulated.

At this point Calendar No. 7 was considered.

NO. 7. DESIGNATION AS PRESIDENT OF JOHN JAY COLLEGE OF CRIMINAL JUSTICE:

RESOLVED, That Dr. Gerald Lynch, Acting President of John Jay College of Criminal Justice, be designated President of John Jay College of Criminal Justice, effective March 1, 1977 with compensation at the rate of \$13,000 per annum in addition to his regular academic salary, subject to financial ability.

Mrs. Michel, the Chairperson of the John Jay Presidential Search Committee, spoke of President Lynch's outstanding record as acting president of the college as attested by numerous recommendations received by the Search Committee and stated that he assumed his new duties with great support both from within and outside the college community. Mrs. Michel thanked Ms. Maria Perez for her invaluable assistance to the Committee.

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

A. TUITION AND FEES:

- (1) Resolution Equalizing Tuition for Out-of-City New York State Residents attending the Senior Colleges:

In moving the resolution, Mr. Gault stated that graduate tuition is not included in this resolution but it is an issue currently under study by University staff and will be a subject for review and discussion in the coming months by the Board Committee on Fiscal Affairs.

The resolution was seconded.

At this point the Board heard the following:

Prof. Edgar V. Roberts, Chairman, Executive Committee of General Faculty of Lehman College, who spoke in support of the resolution.

Mr. Wilson J. Vasquez, Vice-Chairperson for Community College Affairs, University Student Senate, who requested that the resolution cover all divisions (Day, Evening, Full and Part-Time) of the community colleges.

The following resolution was adopted:

RESOLVED, That undergraduate tuition for out-of-city New York State residents attending the senior colleges be the same as tuition charged city residents, effective with the first semester after September 1, 1977.

EXPLANATION: The resolution sets the tuition for out-of-city New York State students attending the senior colleges at the level paid by New York City residents. The resolution is limited to senior college students because community college students currently pay city resident level tuition due to the chargeback law.

The matters raised by Mr. Vasquez were deemed to be administrative in nature, and the Chancellor was requested to refer them to an appropriate Board committee for consideration.

(2) Resolution on CUNY Assistance Program for 1977 Summer Session:

RESOLVED, That the City University Tuition Fee Assistance Plan (CAP) for part-time students, established by the Board on June 14, 1976 (Calendar No. 3.) and amended on June 21, 1976 (Cal. No. 2), be extended to apply to the 1977 summer session; and be it further

RESOLVED, That to be eligible to receive a CAP award for the summer session, a student must satisfy the CAP eligibility criteria established by the Board and must have been a CAP recipient for the prior Spring semester. All credits undertaken during a single summer period shall be cumulated for purposes of determining eligibility hereunder.

EXPLANATION: The above resolution would extend the CUNY Assistance Program (CAP) to 1977 summer session students in a manner consistent with the original intent of the Board in establishing the Program. It is estimated that approximately 10% of summer session enrollees would be eligible. Part of eligibility for CAP is that the student be ineligible for TAP.

(3) Resolution Clarifying Chargeback Provisions:

RESOLVED, That paragraph 6 of the resolution adopted by the Board on August 2, 1976, (Cal. No. 7) with respect to capital cost chargebacks, is hereby amended to read as follows:

The Board hereby determines and approves a charge to each county within New York State outside New York City which has issued a certificate or certificates of residence on the basis of which its residents are attending the community colleges, a capital cost chargeback in the sum of [\$300 per year per full-time student equivalent.] \$150 per semester per full-time student and \$10 per credit per part-time student.

EXPLANATION: This is intended to clarify the existing policy by providing a semester rate for full-time students and a per-credit rate for part-time students.

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

(4) Resolution on Waiver and Fee for Senior Citizens:

RESOLVED, That the resolutions adopted by the Board of Higher Education on May 20, 1974 (Cal. No. 5A) and December 15, 1975 (Chancellor's Report, B.III 1.1) be amended as follows:

RESOLVED, That bona fide residents of New York City 65 years and older be permitted to enroll in undergraduate credit-bearing courses on a space-available basis, tuition-free, at any unit of the University; and be it further

RESOLVED, That individuals enrolling as senior citizens be exempted from all other fees regularly charged except a \$25 per semester charge; and be it further

RESOLVED, That registration and scheduling be arranged so that individuals enrolling as senior citizens attend on a space-available basis; and be it further

RESOLVED, That individuals enrolling as senior citizens be classified as non-degree students unless they fulfill the requirements for matriculation; and be it further

RESOLVED, That individuals who do not wish to enroll under the foregoing resolutions may enroll as regular, tuition paying students; and be it further

RESOLVED, That the foregoing resolutions be effective beginning with the Fall 1977 semester.

EXPLANATION: The 1974 and 1975 Board resolutions provided for tuition free senior citizen enrollment on a space available basis upon payment of the part-time general fee. The Board of Higher Education, on June 14, 1976 eliminated the general fee for undergraduates thereby exempting from all fees senior citizens enrolling under the waiver. The above resolution is intended to replace the earlier resolution with a semester charge which is sufficient to cover costs incurred in handling senior citizens registrations.

Colleges should arrange registration and scheduling in such a manner that senior citizens register on a space-available basis, thereby insuring no loss of tuition. Classification as matriculated or non-degree should have no effect on fee status as a senior citizen. Individuals may choose to become regularly enrolled, tuition-paying students and register with other regular students.

B. 1977-78 SECURITY GUARD CONTRACTS:

RESOLVED, That the following resolutions on Security Guard Contracts for 1977-78 be approved:

(1) CITY COLLEGE:

RESOLVED, That the Board of Higher Education approve the contract documents and expenditure and authorize the City College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing Uniformed Guard Service including armed service when necessary as required, for the buildings and campus areas of the City College for the period July 1, 1977 to June 30, 1978 with an option by the college to renew for two (2) additional years, from July 1, 1978 to June 30, 1979 and July 1, 1979 to June 30, 1980. Said option to be executed by the college on a year to year basis on the same terms and conditions as set forth in the contract, in the estimated amount of \$930,673 subject to financial ability chargeable as follows:

Code 042-4300-403-01-76	\$906,237
Non-tax Levy	24,436

and be it further

RESOLVED, That the Director of the Budget be requested to approve and authorize the estimated expenditure of \$930,673 for the proposed contract (see policy calendar No. 2 (b) 4-4/20/64.)

This estimate also reflects the following required support equipment:

Motor vehicles and Cushmans now in operation have proven to be highly effective for use in patrolling the campus. Their high visibility acts as a deterrent to potential perpetrators. The walkie talkies are to provide ready communication and instant response to Campus incidents and are mandated as an instrument of support.

It is anticipated that when this contract is submitted for bid the hourly cost for guard service will rise due to escalated cost in labor and equipment for this type of service.

Request for acquisition of related services covers required security in over 2,256,407 square feet of usable campus space including peripheral buildings as well as space in off-campus facilities.

This is a requirements contract: the estimated amount may or may not be completely encumbered. The indicated non-tax levy funds are for guarding the Student Center and Bookstore and are included as part of the contract in order to assure these facilities of equal rates for services that may be required by them.

(2) HUNTER COLLEGE:

RESOLVED, That the Board of Higher Education approve the contract documents and authorize the Business Manager of Hunter College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for furnishing Uniformed Guard Service for Hunter College at an estimated cost of \$363,014 chargeable to expense code 042-4400-403-01-78, Office Services for the period July 1, 1977 to June 30, 1978 with a one year option to renew, subject to financial ability; and be it further

RESOLVED, That the Budget Director be requested to approve said contract documents and specifications with a cost limitation of \$363,014.

EXPLANATION: To provide Uniformed Guard Service to safeguard the faculty, staff, students and property of the College.

(3) BROOKLYN COLLEGE:

RESOLVED, That the Board of Higher Education approve contract documents, specifications and authorize Brooklyn College to advertise for, receive and open bids, and award contract to the lowest responsible bidder for furnishing Uniformed Guard Service as required for the building and campus areas of Brooklyn College for the period of July 1, 1977 to June 30, 1978 with an option to renew for one (1) additional year, at a total estimated cost of \$576,785.00, subject to financial ability; this expenditure chargeable to Brooklyn College Tax Levy Fund, 042-4500-403-01-78; and be it further

RESOLVED, That the Director of the Budget approve and authorize the expenditure amount of \$576,785.00, for the proposed contract.

EXPLANATION: The continuance of proper guard service is essential to the security of the college. The proposed expenditure (\$576,785.00) is considered absolutely minimal for the protection of the college community and the physical plant.

(4) YORK COLLEGE:

RESOLVED, That the Board approve the contract documents, specifications and expenditure and authorize York College to advertise for, receive and open bids and award contract to the lowest responsible bidder for furnishing Uniformed Guard Service as required for the period July 1, 1977 to June 30, 1978, with an option by the College to renew for three (3) additional one (1) year periods on the same terms and conditions in the estimated amount of \$529,704, subject to financial ability, chargeable as follows:

Code 042-4900-403-01-78	\$509,040
Non-Tax Levy Funds	20,664
Total	\$529,704

and be it further

RESOLVED, That the Director of the Office of Management and Budget be requested to approve and authorize the expenditure for the proposed contract (See policy calendar No. 2(b)4-4/20/64)

EXPLANATION: Uniformed guard service is essential to the college to provide protection and security of personnel, facilities, equipment and supplies.

The funds indicated for non-tax levy are for student parking and are included to assure these facilities of equal rates for services that are required.

(5) LEHMAN COLLEGE:

RESOLVED, That the Board of Higher Education approve and authorize the Business Manager of Herbert H. Lehman College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for supplying Uniformed Guard Service at an estimated cost of \$392,417 and/or any other funds as may be available, subject to financial ability, with the option to renew for one year, chargeable as follows:

Code 042-5100-403-01-78	\$360,281
Non-tax levy funds	32,136

and be it further

RESOLVED, That the Director of the Budget be requested to approve and authorize this expenditure of \$392,417 against said contract with the option to renew for one additional year.

EXPLANATION: As a result of cutbacks made in response to budget conditions the College has substantially reduced guard service over the past two years. The total estimated cost of the proposed 1977-78 contract, however, represents an increase of \$104,479 or 36% over the estimated cost of the current year's contract. This is the result of an escalation in the cost per guard hour based upon the current prevailing rate schedule set forth by the Office of the Comptroller, City of New York and mandated upon the City University.

(6) MEDGAR EVERS COLLEGE:

RESOLVED, That the Board of Higher Education approve and authorize the Business Manager of Medgar Evers College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for the Security Guard Service at Medgar Evers College for the period July 1, 1977 through June 30, 1978 with the option to renew for three (3) consecutive years at an estimated cost of \$280,000 chargeable to code No. 042-5300-403-01-78 and/or such other funds as may be available; and be it further

RESOLVED, That the Director of the Budget be requested to approve said contract expenditure at an estimated annual cost of \$280,000.

EXPLANATION: Medgar Evers College utilizes one (1) owned facility and two (2) leased facilities in the Crown Heights area of Central Brooklyn. The location and physical characteristics of these buildings make Security Guard Service essential for the protection of personnel, facilities, equipment and supplies.

(7) KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education approve contract documents and specifications and authorize Kingsborough Community College to advertise for, receive and open bids and award contract to the lowest responsible bidder for supplying Uniformed Guard Service as required by Kingsborough Community College for the period July 1, 1977 to June 30, 1978, with an option to renew the contract for one year, in the estimated amount of \$453,000 of which \$450,000 is chargeable to Code 042-6500-403-01-78 and/or such funds as may be available, subject to financial ability, and \$3,000 is chargeable to non-tax levy funds; and be it further

RESOLVED, That the Director of the Office of Management and Budget be requested to approve and authorize the expenditure for the proposed contract.

EXPLANATION: Uniformed guard service is essential to the college to provide protection and security of personnel, facilities, equipment and supplies.

(8) LAGUARDIA COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education approve contract documents and specifications and authorize LaGuardia Community College to advertise for, receive, and open bids and award contract to the lowest responsible bidder for supplying Uniformed Guard Service as required by the College for the period July 1, 1977 to June 30, 1978 in the estimated amount of \$243,568 chargeable to tax levy Code 042-6900-400-01-78; and be it further

RESOLVED, That the Director of the Office of Management and Budget be requested to approve and authorize the expenditure for the proposed contract.

EXPLANATION: Uniformed guard service is essential to the college to provide protection and security of personnel, facilities, equipment and supplies.

(9) COLLEGE OF STATEN ISLAND:

RESOLVED, That the Board of Higher Education approve the contract documents and authorize the College of Staten Island to advertise for, receive and open bids and award contract to the lowest responsible bidder for Uniformed Guard Service at the Sunnyside Campus of The College of Staten Island for the period July 1, 1977 to June 30, 1978 at an estimated cost of \$198,860 of which \$145,835 is chargeable to tax levy code 042-6200-403-01-78 and \$53,025 chargeable to non-tax levy parking fees; and be it further

RESOLVED, That the Director of the Budget be requested to approve said contract at an estimated cost of \$198,860 of which \$145,835 is chargeable to tax levy Code 042-6200-403-01-78 and \$53,025 chargeable to non-tax levy parking fees.

EXPLANATION: The continuance of proper Guard Service is essential for the security of the college. The \$48,860 increase in cost of the proposed contract over the estimated cost of the current year's contract reflects the mandated prevailing wage rate as established by the Comptroller of the City of New York. The amount requested herein is considered the absolute minimum required to function.

At this point Mr. Crowley joined the meeting.

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

A. CONSOLIDATION OF PROGRAMS IN THE HEALTH SCIENCES:

In moving the resolution, Dr. Goldin asked that the record show that the Committee wished to express its appreciation to Dr. Alfred Gellhorn and his colleagues who served on the Chancellor's Task Force on the Future of Health Sciences at The City University of New York, as well as to Acting Vice-Chancellor Egon Brenner and his staff.

The following resolution was adopted:

At this point the Board heard Prof. Harold J. Smolin, Administrator, Medical Laboratory Technology Program, Department of Biological Sciences and Geology, Queensborough Community College, who was opposed to that portion of the item which mandates 1000 clinical hours for AAS students in Medical Laboratory Technology.

The resolution was adopted.

RESOLVED, That the recommendations given below concerning Certain Allied Health Career and Professional Programs be approved; and be it further

RESOLVED, That each college affected is directed to develop an implementation plan acceptable to the Chancellor by April 1, 1977; and be it further

RESOLVED, That these plans provide for students who were, in the Fall 1976 semester, enrolled in a program to be reduced or eliminated, a reasonable opportunity to complete the program or to transfer to a similar program within the University.

A. Programs to be Discontinued by date stated:

1. A.A.S. Degree Program in Nursing at Medgar Evers College, effective September 1, 1979.
2. A.A.S. Degree Program for Emergency Medical Technician at Borough of Manhattan Community College (program currently not operating), effective immediately.

3. A.A.S. Degree Program for Mental Health Technicians at Kingsborough and Borough of Manhattan Community Colleges, effective September 1, 1978. These programs may be redesigned as Associate in Science Programs.
4. A.A.S. Degree Program in Orthopedic Assisting at The College of Staten Island, Community Division, effective September 1, 1977.
5. Certificate Program in Dental Assisting at The College of Staten Island, Community Division, effective September 1, 1977.
6. A.A.S. Degree Program in Environmental Health Science at The College of Staten Island, Community Division, effective September 1, 1978.
7. B.A. Degree Program in Environmental Health Science at The College of Staten Island, Richmond Division, effective September 1, 1978.
8. A.A.S. Degree Program in Physical Therapy at Kingsborough Community College, effective February 1, 1978.

B. Enrollment Limitations and Related Actions:

1.a. A.A.S. Degree Programs in Medical Laboratory Technology, effective September 1, 1978, are to be limited to the head count stated below, or, to whatever smaller number the college can offer the 1000 hour clinical laboratory experience which must be a part of such a program:

Hostos Community College	100 students
New York City Community College	400 students
Queensborough Community College	300 students
The College of Staten Island, Community Division	250 students

b. The A.A.S. Degree Program in Medical Technology offered at Bronx Community College may be continued only if the curriculum is extensively revised during the Spring and Summer of 1977 so as to include an increase in clinically oriented course work, a clinical experience of 1000 hours and other consequent revisions. To allow the college to develop such curricular recommendation, there are to be no freshman admissions to this program in September 1977. A head count limitation of 150 students is to be placed on the revised program effective September 1978.

2. Baccalaureate Programs in Medical Laboratory Technology are to be limited to the following head count enrollments, effective September 1, 1977:

Hunter College	80 students
The College of Staten Island, Richmond Division	50 students
York College	90 students

3. A.A.S. Degree Programs in Nursing are to be limited to the head count enrollments stated below by the date indicated:

Bronx Community College	300 students	effective Sept. 1, 1979
Kingsborough Community College	200 students	effective Sept. 1 1978
Borough of Manhattan Community College	300 students	effective Sept. 1 1978
New York City Community College	300 students	effective Sept. 1 1978
Queensborough Community College	400 students	effective Sept. 1 1979
The College of Staten Island, Community Division	300 students	effective Sept. 1 1979

4. B.S. Degree Program in Nursing to be limited to the head count enrollment stated below, effective September 1, 1978:

City College	600 students
Hunter College	1500 students
Lehman College	600 students
Medgar Evers College	300 students

EXPLANATION: Last year the Chancellor created a Task Force consisting of distinguished medical and health science educators and professionals to review the programs in the Allied Health Sciences at the City University in order to assure CUNY that its health science efforts be coordinated, comprehensive, and adaptive to the needs of the City and of the best quality possible. The Task Force evaluated the University's Health Science programs on the basis of quality, viability, program costs and projected employment opportunities for graduates and, based on these factors, recommended curtailment. Further study and consultation with the affected colleges resulted in the foregoing resolution. This action is consistent with the Board's action of April 5, 1976, (Cal. No. 8,) wherein the Board requests the Chancellor to recommend program consolidations.

NO. 5. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT: RESOLVED, That the following item: be adopted:

A. HOSTOS COMMUNITY COLLEGE - ALTERATIONS:

RESOLVED, That the Board request the City University Construction Fund to authorize the Dormitory Authority of the State of New York to complete the contract documents for the alteration of 500 Grand Concourse for Hostos Community College under its contract with Joseph G. Merz, Architect.

EXPLANATION: In order to permit the possible funding of the alteration of 500 Grand Concourse via the expansion of the Federal Public Works Employment Act, it is essential that completed contract documents be made ready. The Act requires that projects to be funded under its provisions start construction within ninety days of their selection.

The Board, on February 23, 1976, (Cal. No. 3 II.B,) accepted the Preliminary Plans, Outline Specifications and a Preliminary Construction Cost of \$2,925,000 (as of January 1976) for this project. Thereafter on February 25, 1976 the Dormitory Authority, at the request of the Board and Fund, instructed the architect to suspend his work.

The relatively minor expenditure by the Dormitory Authority to complete the contract documents for the alteration would be a prudent investment to permit the project to be eligible for consideration under the terms of the Act.

NO. 6. COMMITTEE ON CENTRAL ADMINISTRATION: RESOLVED, That the following items be adopted:

A. GUIDELINES FOR THE PERIODIC REVIEW AND ASSESSMENT OF THE CHANCELLOR AND PRESIDENTS OF THE CITY UNIVERSITY OF NEW YORK:

The resolution was moved and seconded.

At this point the Board heard the following:

Prof. Ann M. Burton, Vice-Chairperson of the University Faculty Senate, who asked that the evaluation team members be drawn from inside rather than outside the University.

Prof. Irwin Polishook, President, Professional Staff Congress, and

Mr. Brian Kanzaki, University Student Senate, who urged that faculty and student representatives be included in the evaluation teams.

The following resolution was adopted:

RESOLVED, That the Guidelines for the Periodic Review and Assessment of the Chancellor and Presidents of The City University of New York be approved.

GUIDELINES FOR THE PERIODIC REVIEW AND ASSESSMENT OF THE CHANCELLOR AND PRESIDENTS OF THE CITY UNIVERSITY OF NEW YORK

SCOPE AND PURPOSE

The Board of Higher Education fulfills one of its most important responsibilities in appointing a Chancellor or a President, and that responsibility implies an equally important one: to review and assess their performance in office. Within the City University, the Board of Higher Education, the Chancellor, the Presidents and the University Faculty Senate have all expressed the view that a policy of executive evaluation would be desirable. The following guidelines have been prepared to facilitate the careful exercise of the Board's responsibility for evaluation and to assist the Chancellor and the Presidents to become more effective as chief executive officers. The evaluations will also serve other functions. They will provide a mechanism for publicly demonstrating the University's concern about the quality of its constituent colleges, and its desire for accountability of its chief administrative officers. The evaluations will also allow the University a formal opportunity to clarify its own sense of mission and to communicate that mission more effectively to the colleges and to the community-at-large.

PRINCIPLES

In developing the specific criteria and procedures to be used in the evaluation of executive administrators, the following general principles have been taken into account.

1. The evaluation should, for the most part, take place in an institutional context, that is, based on an understanding of the institution's background, resources, priorities, and significant problems. It is for this reason that the evaluation of the Presidents and the Chancellor should be scheduled approximately five years after the date of initial appointment and every five years thereafter. If feasible, the evaluation should be scheduled within the year or two following the institution's Middle States Evaluation. In any case, the evaluations should be preceded by a self-assessment of the Chancellor's or the Presidents' services as chief administrative officers.

In general, the periodic evaluation of the Presidents and the Chancellor will be scheduled with a frequency of not less than every five years. It is expected and understood that circumstances will occasion the Board, on the recommendation of the Chancellor, to conduct an ad hoc evaluation of a President's executive performance. In such cases the same general procedures will be followed as that specified for the periodic evaluations.

Similarly, the Board, as the occasion may warrant, may schedule an ad hoc review of the Chancellor.

2. Evaluation of either the Presidents or the Chancellor should include an assessment by administrative and educational peers to assure an appreciation of achievements in meeting policy and management requirements.
3. Given the complexity of responsibilities faced by the executive administrative officials of the City University, it is difficult to develop objective measures for evaluating executive performance.
4. In order to maintain a constructive and candid atmosphere, the basic principle of confidentiality must be observed.

THE PRESIDENTS

The Presidents serve at the pleasure of the Board of Higher Education for an indefinite period. They serve their respective colleges as executive agents of the Board and have wide discretionary powers. The Chancellor, as the University's chief executive officer, and the Board, as the University's policy-making body, have the responsibility to review the performance and effectiveness of the Presidents. These evaluations should normally be carried out through systematic, periodic, and well-defined procedures.

Thus, when possible, the evaluations of the Presidents will be conducted within the context of the periodic evaluations of their respective institutions. If scheduling permits, the evaluations should take place in the year or two following the college's decennial Middle States Association visit, and following the University's internal evaluation of the college. The documents associated with these evaluations should be made available to the evaluation team.

Each President, in consultation with the Chancellor, at the beginning of his/her term of office and at five-year intervals thereafter should establish his/her own performance goals and objectives. These should be consistent with the policies and regulations of the Board (particularly section 11.4 of the Bylaws) and with the educational mission of the institution. When the Board, the Chancellor and the President agree on the performance goals and the institutional mission, the necessary foundation for a sound and professional evaluation has been established. The Chancellor and the President should review the statement at the end of the second year, and bring it up-to-date.

The President to be evaluated should prepare a statement of his/her stewardship in office for submission to the evaluation committee approximately one month prior to the actual visit. This statement will note both the progress and the problems in fulfilling the stated objectives.

The report should cover the four-year period and may add any special factors or circumstances important to insure a more valid and objective review and assessment of performance in office.

CRITERIA

The Bylaws of the Board of Higher Education charge each President with "the affirmative responsibility of conserving and enhancing the educational standards and general academic excellence of the college under his/her jurisdiction. . . "and with wide discretionary powers in acting as the "executive agent of the Board" at his/her respective campus. The following major areas should be included in the evaluation.

I. Academic Leadership

The President must understand and be committed to the educational needs of his/her college, and have the ability to articulate and to meet these needs at all levels. The essential criteria of affirmative educational leadership are how well the President is able to recruit, to develop, and to maintain a qualified and distinguished faculty, to advance programs and curricula of high quality, to effectively and creatively use instructional resources to support these programs, and to be sensitive to the issue of academic freedom.

II. Administrative Leadership

The quality of a college depends to a great extent upon how well the President meets his/her administrative responsibilities. Measures of a President's effectiveness include how well he/she is able to maintain an effective administrative team, to develop sound and responsive management practices, to develop and carry out an effective affirmative action program, to designate the appropriate use of fiscal resources, to coordinate the advancement of campus construction programs, where relevant, and to maintain ongoing programs of planning, evaluation and review.

III. The President's Relationship with the College Community

As the educational leader, the President is responsible for defining and communicating his/her sense of the college's mission and its priorities to the college community. The President's effectiveness on this dimension can be gauged, in large measure, by his/her relationship with various internal constituencies, the faculty-at-large, elected faculty representatives (such as chairpersons, University Faculty Senators, members of College Council), the student body, and the staff.

IV. The President's Role Outside the College

The President bears a major responsibility for interpreting and communicating the mission of the college and its policies to a variety of constituencies external to his own institution. These groups include the Board of Higher Education whose members serve as trustees for the University and its constituent colleges, the Chancellor's office, governmental agencies, the communities served by the college and professional associations concerned with higher learning.

CONSTITUTION OF THE EVALUATION COMMITTEE

The Chancellor of the University will appoint a select evaluation team composed of the following three members:

a. At least one president from outside the University chosen by the Chancellor in consultation with the President.

b. Two distinguished educators chosen by the Chancellor in consultation with the President, one of whom may be the chairperson of the preceding Middle States evaluation team, or the chairperson of the internal evaluation team, or if neither is available, a distinguished educator from within the professional or academic community.

The Chancellor will also appoint a person from his/her staff to serve as a non-voting coordinating officer among the committee, the President, and the Chancellor's office during the evaluation process.

The select evaluation team will be chaired by a person appointed by the Chancellor from among the three members of the team. The chairman will have the responsibility for writing the final summary report.

In general, it shall be the responsibility of the select evaluation team to develop the procedures for conducting the evaluation and to structure its evaluation around the principles and criteria outlined above.

It is particularly important that the select evaluation team get a broadly representative view of the President's performance including input from the various constituencies within the institution. To this end the team will be expected to make use of existing resources within the institution such as standing or ad hoc committees for evaluation of administrators, leaders of faculty and student governance bodies, University Faculty Senate delegations, faculty chairpersons of college committees and departments, other top administrators.

When the final report has been drafted, the President shall have the opportunity to read, review and comment upon the report prior to its submission to the Chancellor.

The Chancellor will review the written report of the evaluation team and submit it with the response received from the President, along with his/her own recommendations, to the Board of Higher Education.

THE CHANCELLOR

The Chancellor serves an indefinite period at the pleasure of the Board of Higher Education, which has both the authority and responsibility for evaluating his performance in office. In order for the Board to carry out its obligation to review its chief executive officer, it should have a systematic, periodic and well-defined procedure on which to rely for data and information in support of this review.

The evaluation of the Chancellor should be scheduled approximately five years after the beginning of his/her appointment and every five years thereafter. If possible the evaluation will take place in the year or two following the Central Office's decennial Middle States Association visit, and following the internal evaluation of the Central Office. The documents associated with these evaluations should be made available to the evaluative team.

The Chancellor, in consultation with the Board, should establish his/her own performance goals and objectives at the beginning of his/her term of office and every five years thereafter. These should be consistent with the policies of the Board and consistent with the educational mission of the University (particularly section 11.2 of the Bylaws). The Chancellor's evaluation will, in part, be based upon the extent to which he/she meets the agreed upon performance goals. The Board and Chancellor shall review these goals at the end of the second year, to bring it up-to-date.

The Chancellor shall prepare a self-assessment, to be submitted to the evaluation committee approximately one month prior to the first meeting of the evaluation team. The self-assessment shall include a review of his/her tenure in office, the performance goals he/she has established, and the progress and problems he/she has had in fulfilling these stated objectives.

CRITERIA

Under the Bylaws of the Board of Higher Education, the Chancellor is charged with providing educational leadership for the City University. With so broad a mandate, and in an institution so large and dynamic as the City University, the Office of the Chancellor has become an extraordinarily complex and sensitive one.

The criteria enumerated below are meant to serve as a guide for suggesting areas likely to indicate his/her effectiveness as an educational leader.

I. Academic Leadership

As the chief source of educational opportunity for the citizens of New York City, the City University must provide the full spectrum of educational activity within a complex urban environment. For this reason, it is critical that the Chancellor have a broad and deep understanding of contemporary higher education, and a commitment to the City University's policies of open access and quality education. The essential criteria of affirmative educational leadership is the ability of the Chancellor to support the recruitment and promotion of a distinguished faculty, to advance programs of high quality and to support the effective and creative use of instructional resources.

II. The Chancellor's Relationship with the Board of Higher Education

The principal group to which the Chancellor is responsible is the Board of Higher Education whose members are the trustees of the University and representatives of the public-at-large. Of prime importance in this relationship is the Chancellor's ability to develop policy alternatives for the Board in educational and fiscal matters which are the Board's responsibility, and to adequately inform the Board of the state of the institution.

III. The Chancellor's Role in the University

As the educational leader of the University, whose philosophy must be consonant with its mission, the Chancellor bears the major responsibility for communicating this sense of mission and its priorities to the University community. A measure of his/her effectiveness is evidenced by how he/she is viewed by University-wide constituencies such as the Council of Presidents, the University Faculty Senate, and the University Student Senate, among others.

IV. The Chancellor's Role Outside the University

As with his/her internal constituencies, the Chancellor bears an equal responsibility to interpret the University to a variety of external constituencies. These include educational organizations, governmental agencies and elected officials, civic groups and associations and the community-at-large.

V. Administrative Leadership

The quality of the University depends, to a great extent, upon how well the Chancellor meets his/her administrative responsibilities. A critical measure of the Chancellor's effectiveness includes his/her abilities to maintain an effective administrative team, to develop sound and responsive management practices, to develop and carry out an effective affirmative action program, to designate the appropriate use of fiscal resources, and to maintain ongoing programs of planning, evaluation and review.

VI. Institutional Quality

The Chancellor must exercise his/her responsibilities to preserve and advance institutional quality. He/she must assure the maintenance of the quality of the faculty throughout the University, insure the quality of the curricula from the associate degree through the doctoral levels, advance the integrity and equity of academic personnel practices in regard to recruitment, appointment, promotion and tenure, and be sensitive to the issues of academic freedom.

CONSTITUTION OF THE EVALUATION COMMITTEE

The Board of Higher Education shall appoint a select evaluation committee composed of the following three members:

a. One peer at the Chancellor's level to be chosen in consultation with the Chancellor, from urban, multi-campus universities;

b. Two distinguished, nationally known educators, to be selected by the Board in consultation with the Chancellor from among the learned and professional societies.

The Secretary of the Board shall serve as a non-voting staff member who will act as liaison officer between the committee and the Board.

The select evaluation committee will be chaired by a person appointed by the Board from among the three members of the team. The chairman will have responsibility for writing the final summary report.

It shall be the responsibility of the select evaluation committee to develop the procedures for conducting the evaluation and to structure its evaluation around the principles and criteria outlined above. It is important that the committee get a broadly representative view of the Chancellor's performance from the perspective of various constituencies within the University. To that end the Committee will be expected to make use of such resources as the Vice-Chancellors and other top University administrators, the Council of Presidents, the Executive Committee of the University Faculty Senate, the Executive Committee of the University Student Senate.

When the final report has been drafted, the Chancellor shall have the opportunity to read, review, and comment upon it prior to its formal submission to the Board.

CONCLUSION

The intent of these guidelines is to reaffirm the University's responsibilities for providing the finest possible education to all citizens of New York City. While these guidelines reflect the best experience and practice currently operative in institutions in higher education, they were developed to meet the special needs of the City University. On condition that all parties in the evaluation process proceed in a dignified, confidential and professional manner, the guidelines will insure a valid and objective review of performance in office. The implementation of the guidelines will have the additional advantage of reaffirming the responsibility of the Board of Higher Education to fulfill its public trust by a periodic review and assessment of the performance and achievements of its highest academic office-holders.

Dr. Robinson stated that it was the sense of the Committee on Central Administration that all the members of the evaluation teams are to be drawn from outside the University.

B. POLICY REGARDING APPOINTMENT OF ACTING PRESIDENTS: Tabled.

C. PERSONNEL ACTION - BOROUGH OF MANHATTAN COMMUNITY COLLEGE:

WHEREAS, Disciplinary charges dated May 12, 1976 were served upon Assistant Professor Charles Sutton on August 3, 1976; and

WHEREAS, Pursuant to resolution adopted by the Board on May 24, 1976 (Cal. No. 1 (b), Item D.4) an impartial committee was designated to hear those charges; and

WHEREAS, On October 18 and 25, and November 1, 1976 a hearing was held on those charges before the impartial committee; and

WHEREAS, In a determination dated January 14, 1977 the impartial committee determined that the person charged was guilty of the nine specifications charged as amended at the hearing; and

WHEREAS, Such committee recommended that the person charged be immediately removed from the permanent instructional staff of Borough of Manhattan Community College provided that if the person charged should apply for a temporary disability leave such leave shall be granted for the duration of the accumulated disability leave of the person charged and the termination shall take effect upon expiration of such leave, and that the person charged, if he applies for and is granted disability retirement before termination would take effect, such termination shall not take effect; and

WHEREAS, The Board has considered the charges and specifications, the transcript of the hearing and the exhibits submitted therein, and the determination of the impartial hearing committee and its recommendation; it is hereby

FOUND, On the basis of the record, Assistant Professor Charles Sutton did engage in the conduct alleged in the nine specifications as amended and set forth in the impartial committee's determination dated January 14, 1977, and which determination is incorporated by reference herein; and it is hereby

DETERMINED, That Assistant Professor Charles Sutton is guilty of neglect of duty by reason of having engaged in the conduct alleged in specifications 1 through 9 as set forth and for the reasons set forth in the impartial committee's determination dated January 14, 1977; and it is further

DETERMINED, That Assistant Professor Charles Sutton is guilty of incompetent and inefficient service by reason of having engaged in the conduct alleged in specifications 4 and 7 as set forth and for the reasons set forth in the impartial committee's determination dated January 14, 1977; and it is hereby

RESOLVED, That Charles Sutton is hereby removed for cause from the permanent instructional staff as assistant professor effective immediately, provided that if he should apply for a temporary disability leave such leave shall be granted for the duration of his accumulated disability leave and the removal shall take effect upon expiration of such leave, and if he applies for and is granted disability retirement before removal would take effect, such removal shall not take effect.

D. SELECT FACULTY COMMITTEE: The resolution was moved and seconded.

At this point the Board heard Mr. Arnold Cantor, Executive Director of the Professional Staff Congress, who stated that the University's action is unilateral and therefore regarded by the Professional Staff Congress as an abrogation of the contract.

Dr. Goldin moved to table this item. The motion was lost.

The following resolution was adopted:

RESOLVED, That the Chancellor may appoint or reappoint a person whose appointment or reappointment has been recommended by a select faculty committee pursuant to remand under arbitration provisions of a collective negotiating agreement applicable to the instructional staff, provided such appointment or reappointment does not result in conferring tenure or a certificate of continuous employment upon such person. The decision of such committee shall be forwarded to the Chancellor by the President together with such comments as the President may append. The Chancellor shall advise the President, and the affected person of any appointment, reappointment or denial of appointment or reappointment made hereunder; and be it further

RESOLVED, That the Chancellor shall present to the Board his recommendation for the appointment or reappointment with tenure or a certificate of continuous employment, or promotion of a person whose appointment or reappointment with tenure or a certificate of continuous employment or promotion has been recommended by a select faculty committee pursuant to remand under arbitration provisions of a collective negotiating agreement applicable to the instructional staff. The decision of such committee shall be forwarded to the Chancellor together with such comments as the President may append. The Chancellor shall advise the President and the affected person of his denial of a recommendation for appointment or reappointment with tenure or a certificate of continuous employment, or promotion.

EXPLANATION: Under the collective negotiating agreement between the Board and the negotiating agent for the instructional staff, an arbitrator, if he sustains a grievance, may remand a matter involving the failure to appoint, promote, or reappoint an employee to a select faculty committee, upon his finding that a fair academic judgment may not be made on remand if normal academic procedures are followed. Under court decisions relating to the powers of boards of education and other public employers, only the Board may make the final determination to grant tenure (or other long term employment) or promotion, but the Board may legally authorize the Chancellor to take final action making or denying short term appointments. The resolutions effect this result.

Dr. Goldin was recorded as voting No.

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

(a) Dr. Joseph W. Dauben of the History Department at Lehman College has been given a fellowship for one year at the Institute of Advanced Study at Princeton University.

(b) Dr. Egon Brenner, the Acting Vice-Chancellor for Academic Affairs, has been named a Fellow of the Institute of Electrical and Electronics Engineers.

Upon motions duly made, seconded and carried, the meeting was adjourned at 7:00 P.M.

RICHARD M. CATALANO
Secretary of the Board