

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

**HELD**

**FEBRUARY 26, 1979**

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

The Chairperson called the meeting to order at 4:55 P.M.

There were present:

Harold M. Jacobs, Chairperson

Loretta A. Conway  
Armand D'Angelo  
Edith B. Everett  
Gurston D. Goldin

Albert V. Maniscalco  
Emanuel R. Piore  
David Z. Robinson  
Stuart Scheftel

Ann M. Burton, ex officio

Edward A. Roberts, ex officio

Etta G. Grass, Acting Secretary of the Board

Mary P. Bass, General Counsel and Vice Chancellor for Legal Affairs

Chancellor Robert J. Kibbee  
President Milton G. Bassin  
President Roscoe C. Brown, Jr.  
President Saul B. Cohen  
President Leon M. Goldstein  
President Leonard Lief  
President Gerald W. Lynch  
President Robert E. Marshak  
President Harold M. Proshansky  
President Kurt R. Schmeller  
President Ursula Schwerin

President Joel Segall  
President Joseph Shenker  
President Joshua L. Smith  
President Richard D. Trent  
President Edmond Volpe  
President Jacqueline G. Wexler  
Deputy Chancellor Egon Brenner  
Vice Chancellor Richard M. Catalano  
Vice Chancellor Dolores Cross  
Vice Chancellor Kenneth M. King  
Vice Chancellor Jerald Posman  
Vice Chancellor Leonard O. Roellig

The absence of Ms. Stewart, Mr. Crowley, Ms. Maynard and Mr. Rivera was excused.

**A. SECRETARY OF THE BOARD:** The Chairperson introduced and welcomed Mr. Martin J. Warmbrand as the newly designated Secretary of the Board, who will take up his duties on March 1.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 6)

**NO. 1. UNIVERSITY REPORT:** RESOLVED, That the University Report for February 26, 1979 (including Addendum Items) be approved, as amended as follows:

(a) Item CII.10.I. Contract Architectural/Engineering Services (Baruch College): Include the following as paragraph 3:

RESOLVED, That the Board of Estimate be and is hereby requested to approve said contract and fees in the amount of \$66,000.00, chargeable to Capital Project HN-238, Architectural, Engineering and Administrative Expenses connected with City University Capital Projects.

(b) Items listed in PART E - ERRATA, to be withdrawn or changed as indicated.

EXPLANATION: The University Report consists of annual instructional appointments at a salary of \$15,000 and above and other resolutions and actions of a non-policy nature which require approval by the Board of Higher Education.

**NO. 2. CHANCELLOR'S REPORT:** RESOLVED, That the Chancellor's Report for February 26, 1979 (including Addendum Items) be approved, as amended as follows:

(a) Item BI.2.3. Appointment (City College): Errata entry concerning appointment of Keith Thompson is withdrawn; appointment entry is reinstated.

(b) Item BI.7.3. Appointment (College of Staten Island): Errata entry concerning appointment of Alexis Mancini is withdrawn; appointment entry is reinstated.

(c) Item CI.2.1. Elevator for Handicapped - Science & Physical Education Building (City College): Withdraw the errata entry and substitute the following resolution:

CI.2.1. Elevator for Handicapped - Science & Physical Education Building: RESOLVED, That the Board of Higher Education authorize a contract with the firm of Walter P. Bishop, Consulting Engineer P.C., 155 East 42 Street, New York, New York 10017, for the Design & Construction of an elevator in the Science & Physical Education Building from the Street Level to the Gymnasium Level for the sum of \$12,000 chargeable to HN-238 consultant fee, based upon an estimated construction cost of \$80,000; and be it further

RESOLVED, That the Director of the Budget be requested to approve said contract in the amount of \$12,000 chargeable to Capital Project HN-238; and be it further

RESOLVED, That the Board of Estimate be and is hereby requested to approve said contract and fees in the amount of \$12,000.00 chargeable to Capital Project HN-238, Architectural, Engineering and Administrative Expenses connected with City University Capital Projects.

EXPLANATION: The construction of this elevator is an authorized 1978-79 HN-203 project. Without this elevator there is no way for a wheelchair ridden person to access the gymnasium or pool. City College does not have the design capability required for this specialized elevator design and the Board of Higher Education's Department of Technical & Operational Services has a full

program of other work which prevents them from performing this design. After interviewing three consultants, the Department of Technical & Operational Services and The City College Office of Campus Planning & Development selected the firm of Walter P. Bishop, Consulting Engineer, P.C. The award of the design contract and the subsequent construction of the elevator is necessary for the College to be in compliance with regulations implementing Section 504, Rehabilitation Act of 1973 (29 USC 706) which requires completion of all structural modifications by June 3, 1980.

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

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

**NO. 2.A. DIRECTOR OF PUBLIC INFORMATION:** The Chairperson introduced Ms. Amy Plumer, the newly appointed Director of Public Information for the University.

**NO. 3. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the Board of Higher Education meeting of January 29, 1979 and of the special Board of Higher Education meeting of February 13, 1979 be approved as circulated.

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

**A. BARUCH COLLEGE - M.S. IN STATISTICS, OPERATIONS RESEARCH OR COMPUTER METHODOLOGY (THEORY AND TECHNIQUES):**

RESOLVED, That the programs leading to the M.S. degree in Statistics, Computer Methodology, Operations Research, Industrial-Organizational Psychology, Taxation and Marketing be approved.

EXPLANATION: For the past 20 years the MBA at Baruch has contained highly specialized concentrations in the areas enumerated in the resolution. In the past two years, however, due to the necessity of complying with the regulations of the accrediting agency, the College has had to restructure its MBA so as to make it a much more comprehensive program aimed at students just entering the job market and who would be seeking a broadly based career education. The College has redesigned its MBA program and the Board has approved it. There remains, however, a significant population of students who have been employed for 5 or 6 years in their career track areas. These students both require and are seeking specialized studies on the graduate level. These MS programs respond to that need and in fact constitute a re-working of the previous MBA programs.

**NO. 5. COMMITTEE ON CENTRAL ADMINISTRATION:** RESOLVED, That the following items be adopted or action taken as noted:

**X. PRESIDENTIAL SEARCHES:** Dr. Robinson made the following statement for the record:

There have been stories in the press about the presidential search procedures. The procedures are not part of the Bylaws. The only thing in the Bylaws is that the Board is responsible for appointing the presidents of the individual colleges. The Guidelines were not made part of the Bylaws so that adjustments in them could be facilitated when they were needed.

As a result of a petition from the Faculty Senate requesting revision of the Search Guidelines, I met with the Faculty Senate on Friday, and I wish to announce that the Committee on Central Administration at its meeting on March 6 will reexamine our Guidelines with the intention of applying any revision to the ongoing presidential searches for Brooklyn, Hunter and City. We hope that we can approve Guidelines that will be acceptable to the Board as well as the college community and will enable us to complete these searches prior to the expiration of our term in June.

A. BYLAW AMENDMENTS:

(1) Continuing Education Teacher: RESOLVED, That Section 6.1 of the Bylaws be amended as follows:

Section 6.1 INSTRUCTIONAL STAFF. The instructional staff shall consists of the persons employed in the following titles:

- |  |  |
|--|--|
| Chancellor   | Adjunct assistant medical professor (clinical) |
| Deputy Chancellor                                    | Visiting professor                             |
| Vice chancellor                                      | Visiting associate professor                   |
| University administrator                             | Visiting assistant professor                   |
| University associate administrator                   | Adjunct professor                              |
| University assistant administrator                   | Adjunct associate professor                    |
| President  | Adjunct assistant professor                    |
| Vice president                                       | Adjunct lecturer                               |
| Assistant vice president                             | Lecturer (full-time)                           |
| University dean                                      | Lecturer (part-time)                           |
| University associate dean                            | Instructor                                     |
| University assistant dean                            | Instructor (nursing science)                   |
| Dean   | Research associate                             |
| Associate dean                                       | Research assistant                             |
| Assistant dean                                       | Clinical assistant                             |
| Administrator  | Registrar                                      |
| Associate administrator                              | Associate registrar                            |
| Assistant administrator                              | Assistant registrar                            |
| Distinguished professor                              | Registrar's assistant                          |
| Professor  | Senior college laboratory technician           |
| Associate professor                                  | College laboratory technician                  |
| Assistant Professor                                  | Chief college physician                        |
| Medical professor (basic sciences)                   | College physician                              |
| Associate medical professor (basic sciences)         | Higher education officer                       |
| Assistant medical professor (basic sciences)         | Higher education associate                     |
| Adjunct medical professor (basic sciences)           | Higher education assistant                     |
| Adjunct associate medical professor (basic sciences) | Assistant to higher education officer          |
| Adjunct assistant medical professor (basic sciences) | Higher education intern                        |
| Medical professor (clinical)                         | Business manager                               |
| Associate medical professor (clinical)               | Assistant business manager                     |
| Assistant medical professor (clinical)               | Assistant to business manager                  |
| Adjunct medical professor (clinical)                 | Placement director                             |
| Adjunct associate medical professor (clinical)       | Education and vocational counselor             |
|  | <u>Continuing education teacher</u>            |

and  
in the hunter college elementary school and  
hunter college high school:

- |                           |                               |
|---------------------------|-------------------------------|
| Principal                 | Temporary teacher             |
| Chairperson of department | Guidance counselor            |
| Teacher                   | Librarian                     |
| Assistant teacher         | College laboratory technician |
|                           | Substitute teacher            |

and  
in the early childhood centers:

- |         |                   |
|---------|-------------------|
| Teacher | Assistant teacher |
|---------|-------------------|

and be it further

RESOLVED, That Section 6.5 of the Bylaws be amended as follows:

Section 6.5 APPOINTMENTS WITHOUT TENURE. Nothing contained in this article shall be construed as conferring or permitting tenure, or service credit toward the achievement of tenure in the positions of chancellor, deputy chancellor, vice-chancellor, university administrator, university associate administrator, university assistant administrator, president, vice president, assistant vice president, university dean, university associate dean, university assistant dean, dean, associate dean, assistant dean, administrator, associate administrator, assistant administrator, director of campus schools, department chairperson, chief librarian, principal, supervisor, distinguished professor, adjunct medical professor (basic sciences), adjunct associate medical professor (basic sciences), adjunct assistant medical professor (basic sciences), adjunct medical professor (clinical), adjunct associate medical professor (clinical), adjunct assistant medical professor (clinical), visiting professor, visiting associate professor, visiting assistant professor, adjunct professor, adjunct associate professor, adjunct assistant professor, adjunct lecturer, higher education officer, higher education associate, higher education assistant, assistant to higher education officer, higher education intern, research associate, research assistant, clinical assistant, lecturer (full-time), lecturer (part-time), instructor appointed after October 1, 1968; business manager, assistant business manager, assistant to business manager, continuing education teacher, all positions in the early childhood centers programs, or any other instructional positions not included on the permanent instructional staff, except that prior service as a full-time lecturer or lecturer (full-time) may be considered toward the award of tenure to persons in a title on the permanent instructional staff. Appointment to any such non-tenure-bearing position, or removal therefrom, however, shall not deprive the person so appointed or removed of tenure in the highest position on the staff held with tenure prior to his/her appointment to such office, or conjointly with such office, nor shall such appointment or removal deprive any person of service credit toward the achievement of tenure under the provisions of this article. All persons appointed chancellor, deputy chancellor, president, vice chancellor, vice president, university dean, university associate dean, university assistant dean, dean, associate dean, assistant dean, director of campus schools, or principal, if not already appointed to a position on the permanent instructional staff, may be appointed to an instructional position.

and be it further

RESOLVED, That Article XI of the Bylaws be amended by adding thereto a new section, to be section 11.39, to read as follows:

Section 11.39 CONTINUING EDUCATION TEACHER. A. Position Definition: Persons employed in the title of continuing education teacher shall be assigned to teach part-time or perform related duties on a part-time basis.

B. Qualifications: For appointment as a continuing education teacher a person must have educational, professional or experience qualifications appropriate to the specific course.

**NOTE: Matter underlined is new**

EXPLANATION: Supplementary to the 1978-80 Agreement between the Board of Higher Education and the Professional Staff Congress/CUNY, is the agreement between the parties on Continuing Education. Section 2a of this Supplemental Agreement provides for a new title, Continuing Education Teacher. This resolution establishes in the Board's Bylaws the position definition and qualifications required for this new title.

(2) Structure of Board Meetings: The resolution was moved and seconded.

At this point the Board heard Mr. Daniel Lipsman, who spoke in opposition to the resolution.

The following resolution was adopted:

RESOLVED, That subdivision c of section 1.1 of the Bylaws is hereby amended to read as follows:

c. Public notice of the hour, place and agenda of each stated meeting of the board shall be given at least seven days before the meeting at the respective colleges and to such educational, civic and news media organizations as may request the same, as well as to any duly authorized collective negotiation representative. [Permission to speak to items on the agenda may be granted by the chairperson or the board, upon written application received no later than two business days preceding the board meeting. Such written application shall specify the calendar item to be addressed and the substance of the speaker's proposed statement to the board. Whenever feasible, a written copy of the proposed statement is to accompany the written request.]

RESOLVED, That section 1.10 of the Bylaws is hereby amended by adding thereto a new subdivision, to be subdivision b, to read as follows:

Section 1.10 PUBLIC HEARINGS. a. The board shall schedule public hearings on the adoption of its expense budget, capital budget, and master plan. The board in the exercise of its judgment may schedule such other hearings as it may determine.

b. The board shall hold a public hearing on the agenda of a stated meeting no less than three days before the meeting. Upon notification received by the secretary one day in advance of the hearing, persons will be permitted to speak to items on the agenda and to submit written statements relating thereto. The chairperson or the vice chairperson in the chairperson's absence shall assign one or more board members to conduct such hearing. A substantive summary of written statements received at such hearings shall be distributed to members of the board prior to the stated meeting.

RESOLVED, That section 3.4 of the Bylaws is hereby to read as follows:

Section 3.4. COMMITTEE MEETINGS. [Committee of the board may meet without any non-members present save invitees.] Meetings of committees of the board shall be open to the general public except if otherwise determined by the committee.

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

(3) Senior Registrar: Notice was served of amendments to Articles VI and XI of the Bylaws to incorporate the title of Senior Registrar, The amendments will come up for action at the March meeting of the Board.

**NO. 6. COMMITTEE ON FISCAL AFFAIRS: RESOLVED,** That the following items be adopted:

**A. NEW YORK CITY COMMUNITY COLLEGE - USE OF INCOME FROM VOORHEES ENDOWMENT FUND:**

RESOLVED, That the Board of Higher Education authorize the expenditure of a sum not to exceed \$110,000 of income from the Voorhees Endowment Fund interest during the fiscal year 1978-79.

EXPLANATION: As a result of current budgetary reductions and mandatory reserves, New York City Community College deems it imperative to have this additional sum of money available for its use as a backup to offset both the mandatory budgetary reductions and reserves established pursuant to Vice-Chancellor Posman's memorandum to community college presidents dated November 14, 1978.

The above funds will be used in accordance with the court order dated April 20, 1971.

**B. 1979-80 SECURITY CONTRACTS:**

In moving these resolutions, Mr. D'Angelo made the following statement for the record:

The Fiscal Affairs Committee has asked President Lynch of the John Jay College of Criminal Justice to analyze the current approach of utilizing contracted security throughout the University. Specifically, an examination is requested of the feasibility of replacing contract personnel with a full-time University security force. In addition, President Lynch will make recommendations on the greater utilization of student guards; the need for more effective training of security staff; and more stringent contract specifications. When President Lynch makes his final analysis available, it will be reviewed by the Committee which will then forward its recommendations to the Board. As this entire process will take some time, the Committee recommends the approval by the Board of the following security contracts for 1979-80.

**(1) HUNTER COLLEGE:**

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize 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 \$437,322 chargeable to State Budget code 7003-176-8001-806-2-34801-400 Office Services for the period July 1, 1979 to June 30, 1980 with a one year option to renew, subject to financial ability.

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

**(2) BERNARD M. BARUCH COLLEGE :**

RESOLVED, That the Board of Higher Education approve contract documents and authorize the Bernard M. Baruch College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for providing uniformed guard service for the college for the period July 1, 1979 to June 30, 1980 at an estimated cost of \$211,000 chargeable to Code 7005-176-8001-806-2-23480-14-30, and/or such other funds as may be available; and be it further

RESOLVED, That an option be included in the contract giving the College the right to renew for three additional years.

EXPLANATION: The safety of students and staff and the security of college property require such contractual services.

**(3) BROOKLYN COLLEGE:**

RESOLVED, That the Board of Higher Education approve contract documents, and specifications, and authorize Brooklyn College to advertise for, receive, and open bids, and award a 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 July 1, 1979 through June 30, 1980, with an option to renew for two (2) additional years, at a total estimated cost of \$575,511.00, subject to financial ability of the College; chargeable to State Tax Levy Code 700-176-8001-806-2-23790-14/30 or as such codes as may be established in subsequent years.

EXPLANATION: The continuance of proper guard service is essential to the security of the College. The proposed expenditure of \$575,511.00 is the absolute minimal for the protection of the College community.

## (4) BRONX COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize Bronx Community College to advertise for, and receive, open bids, and award a contract to the lowest responsible bidder for furnishing Uniformed Guard Service for the period July 1, 1979 through June 30, 1980 with the option to renew for two (2) additional one year periods at an estimated cost of \$504,255 chargeable as follows:

Code	Amount
2-348-01-400	\$485,775
Non-Tax Levy Funds	18,480
TOTAL	\$504,255

subject to financial ability.

EXPLANATION: For furnishing Uniformed Guard Service for the security of students, staff, faculty; properties and facilities on and off the main campus owned and rented by Bronx Community College.

## (5) THE 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 as required at all locations of The College of Staten Island for the period July 1, 1979 - June 30, 1980 with the option to renew for two (2) consecutive years at an estimated cost of \$361,974 of which \$339,435 is chargeable to code 2-348-01-400 and \$22,539 chargeable to the Parking Fund.

EXPLANATION: The continuance of proper Guard Service is essential for the security of the College. Due to budget cuts, coverage has been drastically reduced and the amount requested herein is considered the absolute minimum necessary and is in line with the 1977/1978 actual expenditure. The estimated increase is due to the prevailing wage rates for Guard Service and inflation.

## (6) 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 bidders for supplying Uniformed Guard Service as required by Kingsborough Community College for the period July 1, 1979 to June 30, 1980. The College shall reserve to itself the option to renew the contracts each year for a maximum of three (3) such renewals on the same terms and conditions stipulated in the original contract except for raises in union or labor law prevailing wage rates, in the estimated amount of \$390,000.00 of which \$360,000.00 is chargeable to Code 2-348-01-400 and/or such funds as may be available, subject to financial ability, and \$30,000.00 is chargeable to non-tax levy funds.

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

## (7) BOROUGH OF MANHATTAN COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize the Borough of Manhattan Community College to advertise for, receive and open bids and award contract to the lowest responsible bidder for Furnishing Guard Service, at an estimated cost of \$123,525 per year, chargeable to 2-34801-400, Contractual Services, and/or such other funds as may be available. The College shall have the option to renew the contract for one (1) additional year as specified in the contract documents.

EXPLANATION: The present Guard Service Contract expires June 30, 1979 and continued service is essential.

Mr. D'Angelo expressed his appreciation to President Lynch and indicated his hope that the President would come up with recommendations that would benefit the City University as a whole.

Dr. Goldin made the following statement for the record:

Twice in recent years there has been a vacancy in the position of Secretary of the Board of Higher Education. On both those occasions Mrs. Etta Grass has served this Board and City University with dedication and ability as Acting Secretary. I believe that we will agree that the record should register our appreciation for her able and devoted services.

Dr. Goldin's statement was received with applause.

**NO. 7. ORAL REPORT OF THE CHANCELLOR:** The Chancellor presented the following report on matters of Board and University interest:

**A. REGENTS RECOMMENDATIONS:**

The Regents will shortly bring out a new revised paper on Higher Education in the City of New York. The paper previously prepared by the Regents Committee on Higher Professional Education was discussed by the Regents and revised textually. The revised draft will probably be voted upon by the Board of Regents within the next few days. A copy will be sent to all the members of the Board of Higher Education. The draft contains a great deal of information about the demography of the City and both public and private institutions of higher education.

**B. FUEL OIL:**

The Chancellor reported on problems with respect to deliveries of fuel oil and indicated that this was a general problem for the City. Discussions have been going on in the City Government with appropriate people in an attempt to resolve this difficulty.

**C. LEGISLATION RE GOVERNANCE OF UNIVERSITY:**

The City of New York has submitted a bill on the future governance of the City University to the State Legislature and plans to introduce it. Two months ago the Chancellor and other City University officials met with Mr. Trimble, then General Counsel to the Mayor, in an attempt to design such a bill. The bill which was drafted was discussed at the City level with the Mayor and others and has been somewhat changed. The revised bill is now being presented to the Legislature. The Chancellor plans to circulate to the members of the Board an analysis of the differences between the two bills. There will probably be three bills before the Legislature on the future structure of the University. The Governor is preparing a bill setting forth his position, and the Assembly Committee on Higher Education is in the process of drafting a comprehensive bill on the City University. These will vary in detail from each other and will provide the arena in which the University's future structure and governance will be worked out. The differences between the City and the State about the funding of the University and the percentage to be absorbed or not by the State by next year are a matter of separate discussion going on simultaneously with discussions concerning governance.

**D. BUDGET:**

The Chancellor and a number of staff members will be going to Albany on Tuesday for a public presentation on the University's budget. In the past the University has been asked to appear before the Assembly Committee on Higher Education to go over the budget submitted by the Governor in his Executive Budget. This year there will be a combined committee meeting of the Committees on Higher Education of the Assembly and the Senate as well as the Committee on Appropriations and the Committee on Ways and Means. The University will make its presentation before a joint meeting of all four committees. A City budget hearing will be held on March 5 or 6.

Upon motions duly made seconded and carried, the meeting was adjourned at 5:30 P.M.

ETTA G. GRASS  
Acting Secretary of the Board.