

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

HELD

APRIL 23, 1979

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

The Chairperson called the meeting to order at 4:35 P.M.

There were present:

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

**Loretta A. Conway
Edith B. Everett
Gurston D. Goldin
Albert V. Maniscalco**

**Joan B. Maynard
Joaquin Rivera
Stuart Scheftel**

Ann M. Burton, ex officio

Martin J. Warmbrand, Secretary of the Board

**Chancellor Robert J. Kibbee
President Milton G. Bassin
President Roscoe C. Brown, Jr.
President Flora Mancuso Edwards
President Leon M. Goldstein
President Leonard Lief
President Gerald W. Lynch
President Harold M. Proshansky
President Kurt R. Schmeller
President Ursula Schwerin**

**President Joel Segall
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 Jerald Posman
Vice Chancellor Leonard O. Roellig**

The absence of Mr. Crowley, Mr. D'Angelo, Dr. Piore and Dr. Robinson was excused.

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. UNIVERSITY REPORT: RESOLVED, That the University Report for April 23, 1979 (including Addendum Items) be approved, as amended as follows:

(a) Items listed in PART E - ERRATA, to be withdrawn or changed as indicated.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 April 23, 1979 (including Addendum Items) be approved, as amended as follows:

(a) PART D - ADDENDUM: Add the following item:

D.20. Amendment of Resolution 2/26/79, Cal. No. 2, Item CII.9.2. New Roofs for Dining Hall and Computer Center Building (Lehman College): RESOLVED, That the Board of Higher Education authorize an increased expenditure of \$1,860 for the resurfacing of the roofs of the College's Dining Hall and Computer Center Buildings, originally approved by resolution of the Board on February 26, 1979, in the amount of \$11,000.

EXPLANATION: The resolution approving the resurfacing of the roofs of the College's Dining Hall and Computer Center Buildings was approved at the Board meeting of February 26, 1979, Calendar No. 2, Item CII.9.2 in the estimated amount of \$11,000, chargeable to budget code 7007-176-7901-865-2-234401-467. The total low bid of \$12,860 exceeds the 10% allowed overage. It was respectfully requested, therefore, that this amendment be approved. This project was initially authorized in the State Supplemental Budget for 1978-79 to fund building repairs and renovations at the senior colleges.

(b) 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. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the Board of Higher Education meeting of March 26, 1979 be approved as circulated.

NO. 4. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT: RESOLVED, That the following items be adopted:

A. BRONX COMMUNITY COLLEGE - ALTERATIONS TO TECHNOLOGY II BUILDING:

RESOLVED, That the Board accept final plans and specifications for the alteration to the Technology II building of Bronx Community College at an estimated cost of \$2,190,400 (as of February, 1979) as prepared by Brown, Guenther, Battaglia, Seckler, Architects and Planners; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforementioned Contract Documents, and estimates of cost.

EXPLANATION: This resolution provides for the acceptance of final plans, specifications and cost estimate, which work was done in accordance with a contract between the New York State Dormitory Authority and the above named architects and was funded from a previously authorized bond issue.

The proposed work calls for the alteration of existing classrooms, engineering and science laboratories and related spaces to provide suitable facilities for the College's Biology, Chemistry, Mathematics and Physics Departments which are now located in substandard older facilities on this campus. A total of 91,418 net assignable square feet is to be provided in the building which contains 208,840 gross square feet.

On May 18, 1977 (Cal. No. 4B), the Board accepted the Preliminary Plans, Outline Specification and Preliminary Cost Estimate of \$1,993,000 (as of April, 1977). The final cost estimate of \$2,190,400 (as of February, 1979) when compared with the Preliminary Cost Estimate appears reasonable.

The final plans, specifications and cost estimate have been reviewed and accepted by the College, the Office of Facilities Planning and Management and the Dormitory Authority and acceptance by the Board was recommended.

The acceptance by the Board of the design work performed to date by the Architects is a requirement of the firm's contract with the Authority. The project was included as a first priority project in the Long Range Facility Plan adopted by the Board on May 29, 1978 and endorsed as such by Dr. Harold Howe in his December 13, 1978 Report to the Mayor. The construction work will not be bid until there are funds available for its financing.

B. CITY COLLEGE - REHABILITATION OF ROOFS, STEINMAN AND GOETHALS HALLS:

RESOLVED, That the Board of Higher Education approve the contract documents as prepared by the Office of Facilities Planning and Management and authorize said office to advertise, bid and award the contract to the lowest responsible bidder for furnishing all labor and materials, tools and equipment required for rehabilitation of roofs to Steinman and Goethals Halls at The City College, Convent Avenue at 138th Street, New York, N. Y. 10031, at an estimated cost of \$200,000, chargeable to Capital Project HN-203; and be it further

RESOLVED, That the Director of Management and Budget be requested to approve said documents and authorize said expenditures for the proposed contract.

EXPLANATION: Steinman and Goethals Halls are two of the major buildings of the City College North Campus.

The roofs are in poor condition causing costly damage to ceilings, floors and walls of the building.

This corrective work is necessary to prevent further water damages to the buildings.

This Project has been recommended and approved by the College.

The estimate of \$200,000 includes construction contingencies and cost escalation to bid date.

NO. 5. COMMITTEE ON FISCAL AFFAIRS: RESOLVED, That the following items be adopted or action taken as noted:

A. MAINTENANCE OF XEROX EQUIPMENT:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize Queens College to advertise for, receive and open bids and award contract to the lowest responsible bidder for Preventive Maintenance of Xerox Computer Equipment for the period July 1, 1979 to June 30, 1980 at a total estimated cost of \$103,092, chargeable to Code 2-177-01-450 and/or such other funds as may be available, subject to financial ability.

EXPLANATION: The equipment is used to support the course of several thousand students and several hundred faculty. Preventive maintenance affords the Computer Center a means of obtaining maximum effective equipment performance and priority service. In order to meet the demands on the system, it is vital that the equipment be kept constantly in good operating condition.

B. HUNTER COLLEGE - AGREEMENT WITH HEALTH AND HOSPITALS CORPORATION:

RESOLVED, That the Board of Higher Education approve an agreement between the Health & Hospitals Corporation and the Board of Higher Education, effective December 1, 1978 which acknowledges the Board of Higher Education's jurisdiction over the premises at 440 East 26th Street, known as Hunter College School of Health Professions at Bellevue, provides for a payment of \$239,500 from non-tax levy funds for Building Services rendered for the period January 1, 1977 through November 30, 1978, and which allocates some Dormitory Space to the Health & Hospitals Corporation for its direct patient care personnel for which rental payments will be paid to Hunter College and also some reasonable usage of lounge, auditorium and athletic facilities.

EXPLANATION: This agreement resolves a long-standing dispute between the Board of Higher Education and Health & Hospitals Corporation through the formal acknowledgement by both parties of New York City Board of Estimate's resolution, dated June 22, 1967 and amended July 24, 1969, transferring jurisdiction and control of the above-mentioned premises to the Board of Higher Education.

With respect to the amount owing for Building Services rendered, an informal agreement, effective 7/1/76 was reached between Hunter College and Bellevue Hospital whereby Bellevue would continue to provide building services as long as Hunter agreed to reimburse for such services. Thusfar, Hunter College has reimbursed Bellevue for the period 7/1/76 through 12/30/78. This new agreement reaffirms Hunter's informal commitment to reimburse Health & Hospitals Corporation \$239,500 for the cost of building services rendered for the period 1/1/77 through 11/30/78. Hunter also agrees to honor any pre-existing rental agreements with Health & Hospitals Corporation personnel, with the understanding that rental payments will be paid directly to Hunter College.

C. CITY COLLEGE - ACQUISITION OF COMPUTER EQUIPMENT:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize the University Computer Center on behalf of The City College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for the acquisition of a used IBM 370-158 computer system, or equivalent, and associated equipment for installation on or about May 1, 1979 at the total estimated cost of \$500,000 over a five year period on a time installment basis chargeable to the City College budget code 7002-176-7901-806-2-2234-4-62 for the current fiscal year and like budget codes thereafter. This expenditure is subject to financial ability.

EXPLANATION: The intent of the resolution is to acquire an IBM 370/158 computer system or equivalent for The City College to enable the college to economically acquire data processing equipment capable of providing the services needed for financial, registration and administrative systems. This procurement will provide the needed enhancement at the lowest possible cost.

This system is an upgrade replacement for a 12 year old IBM 360/50 system at The City College. The need is for state of the art technology for administrative users at the college. Rising maintenance costs and computer downtime make the presently installed equipment unreliable in a real time response environment.

The response time on present equipment for administrative applications is inadequate and slow. Major online systems for student records, staff profiles, financial aid, and registration require significantly improved throughput.

While City College uses the University Computer Center for its major instructional applications, adequate response time for administrative systems requires availability at the college of this type equipment for financial records, student records and administrative systems.

The Costs estimate results from informal consultations with various equipment vendors. It is expected that approximately \$500,000 over a five year period will be sufficient to acquire a used computer of the capacity necessary to meet the spiralling administrative requirements.

This resolution has the approval of the Vice Chancellor for University Systems.

D. CITY COLLEGE - MAINTENANCE ON ELEVATORS AND ESCALATORS:

RESOLVED, That the Board of Higher Education approve the Contract documents, specifications and expenditure and authorize The City College to advertise for, receive and open bids, and award contract to the lowest responsible bidder for furnishing all labor and material required for full maintenance on twenty-two (22) elevators and ten (10) escalators commencing January 1, 1979 to June 30, 1979 with an option by the college to renew such contract on a year to year basis for an additional period of four (4) years at an estimated cost as follows:

7002-176-7901-806-2-71770-14-61	\$ 50,000
7002-176-8001-806-2-21770-14-61	100,000
7002-176-8101-806-2-21770-14-61	100,000
7002-176-8101-806-2-21770-14-61	100,000
7002-176-8201-806-2-21770-14-61	100,000
7002-176-8301-806-2-21770-14-61	100,000

EXPLANATION: The requirements previously contracted for separately were awarded on the same terms and conditions as stated herein.

E. CUNY-AUDITORS TUITION AND FEE FUNDS: - Laid over

NO. 6. COMMITTEE ON CENTRAL ADMINISTRATION: RESOLVED, That the following items be adopted or action taken as noted:

A. AMENDMENTS TO THE CHARTER OF THE HUNTER COLLEGE ALLOCATIONS BOARD: - Laid over.**B. AMENDMENTS TO ARTICLE XIV OF THE CHARTER OF GOVERNANCE OF HUNTER COLLEGE: Laid over.****C. AMENDMENTS TO 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"**

RESOLVED, That the Board amend the provisions of 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"--- by amending the provisions of subdivision (a)(10), renumbering subdivision (a)(11) to be subdivision (a)(12) and by adding a new subdivision (a)(11), to read as follows:

(a) (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 associate in science, liberal arts and general studies degree curricula and the following business curricula and options and local variations of these program names:

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| Accounting | Marketing |
| Advertising | Marketing - Industrial |
| <u>Advertising and Communications</u> | Marketing - International Trade |
| Banking, Insurance and Real Estate | Marketing Management & Sales |
| Business Administration | Office Management |
| Business Administration - Automotive Marketing | Retail Business Management |
| Court Administration | Sales Management |
| <u>Credit and Collections</u> | Secretarial Science and Options |
| Fashion Buying & Merchandising | Small Business Operations |
| Health Services Management Technology | Textile and Apparel Marketing |
| <u>Hotel and Restaurant Management</u> | Traffic and Shipping |
| Industrial and Labor Relations | Transportation & Distribution Management |
| International Trade and Travel | |

(11) Business Programs.

Certificate, diploma and all associate in arts, associate in science, and associate in applied science degree programs in business, including options and local variations of the program names specifically cited below:

	<u>HEGIS CODE</u>
<u>Accounting</u>	<u>5002</u>
<u>Advertising</u>	<u>5004</u>
<u>Banking</u>	<u>5003</u>
<u>Insurance and Real Estate</u>	<u>5004</u>
<u>Business Administration</u>	<u>5001</u>
<u>Health Services Management Technology</u>	<u>5218</u>
<u>Hotel and Restaurant Management</u>	<u>5010</u>
<u>Industrial and Labor Relations</u>	<u>5004</u>
<u>Marketing</u>	<u>5004</u>
<u>Management</u>	<u>5004</u>
<u>Secretarial Science</u>	<u>5005</u>
<u>Secretarial Science/Medical</u>	<u>5214</u>

(12) [(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; and be it further

RESOLVED, That the Board amend the provisions of the aforesaid rules and regulations by amending the provisions of subdivisions (c) (1) (iii) to read as follows:

(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]~~ \$750 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 for the 1975-76 college year, provided that for the 1975-76 fiscal year a community college shall be eligible for this increment if it maintains a ratio equal to or greater than 17.0 to 1 but less than 17.5 to 1 and no less than the actual 1974-75 college fiscal year ratio; 18.0 to 1 for the 1976-77 college fiscal year; and] 18.5 to 1 for the [1977-78] 1978-79 college fiscal year.

(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] \$210 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] One half of rental cost for physical space; and be it further

RESOLVED, That the Board amend the provisions of the aforesaid rules and regulations by amending the provisions of subdivision (c) (2) (iii) as follows:

(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] \$632 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 for the 1975-76 college fiscal year, provided that for the 1975-76 fiscal year a community college shall be eligible for this increment if it maintains a ratio equal to or greater than 17.0 to 1 but less than 17.5 to 1 and no less than the actual 1974-75 college fiscal year ratio; 18.0 to 1 for the 1976-77 college fiscal year; and] 18.5 to 1 for the [1977-1978] 1978-79 college fiscal year.

(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] One half of rental cost for physical space; and be it further

RESOLVED, That the Board amend the provisions of the aforesaid rules and regulations by amending the provisions of subdivisions (d) to read as follows:

(d) Supplemental State financial assistance. The Community Colleges shall be eligible for supplemental State financial assistance in the [1977-78] 1978-79 community college fiscal year in the amount of \$150 for each full-time equivalent student enrolled in technical programs and \$75. for each full-time equivalent student enrolled in business 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 [1976-77] 1977-78 community college fiscal year. The total State aid paid for the City University community colleges for the [1977-78] 1978-79 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 and business 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 and business programs.

and be it further

RESOLVED, That the Board amend the provisions of the aforesaid rules and regulations by repealing subdivision (f) (1) and by adding a new subdivision (f) to read as follows:

[(f) (1) Notwithstanding the provisions of these regulations, assistance for the 1977-78 community college fiscal year shall be computed as follows: for the first 63,000 full-time equivalent students enrolled, full funding as provided by subdivisions (c) and (d) of the regulations; for the next increment of 630 full-time equivalent students, 50% of full funding per student; twenty-five percent of full funding per student; and for each additional full-time equivalent students enrolled, a payment of one hundred dollars.]

(f) Notwithstanding the provisions of these regulations assistance for the 1978-79 community college fiscal year shall be computed as follows: for the first 64,700 full-time equivalent students enrolled, full funding as provided by subdivisions (c), (d) and (e) of these regulations; for the next increment of 647 full-time equivalent students, 50% of full funding per student; for the next increment of 647 full-time equivalent students, twenty-five percent of full funding per student; and for each additional full-time equivalent student enrolled, a payment of one hundred dollars.

RESOLVED, That these amendments shall be effective upon approval by the State Director of the Budget.

EXPLANATION: The amendments herein adopted parallel amendments to the Official Compilation of Codes, Rules and Regulations of the State of New York adopted by the State University Trustees effective January 3, 1979. The Board is required under paragraph B of subdivision two of section 6215 of the Education Law, and chapters 53 and 779 of the laws of 1978 to adopt these amendments. These amendments increase basic State aid for each full-time equivalent community college student from \$670 to \$750., increase the supplement for full-time disadvantaged students from \$180 to \$210, provide for the first time for supplemental State financial assistance for business programs, and increase State support for rental costs from two-fifths to one half of such costs. The rescission of the current subdivision c(1) (iii) (a) (2) will result in a reduction in State aid by an amount approximately equal to the increase in the basic State aid per student and is intended by the State to assist high overhead community colleges by substituting an increase in per student aid for a State aid bonus based on a limitation on overhead. The \$30 increase in the supplement for disadvantaged students is unique for City University and is in lieu of a \$30 increase in the supplement for technical students at the State University. Subdivisions (a) (11) & (12) were initially enacted and last acted upon by the Board on September 22, 1975. Subdivisions (c) (1) (iii) (a) (1) and (c) (2) (iii) (a) (1) were last amended on November 24, 1975 and the remainder of subdivision (c) was initially enacted and last acted upon by the Board on September 22, 1975. Subdivisions (d) and (f) (1) were last amended on November 21, 1977.

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

At this point Mrs. Everett joined the meeting.

D. PERMANENT FEE STRUCTURE FOR THE QUEENS COLLEGE UNION:

RESOLVED, That the College Union fees (Student Services Corporation) be amended in accordance with the following schedule:

	7/78	Temporary Rates 8/78-6/79	Proposed-7/79	Change in permanent Rate
Undergraduate Full-time	\$30.00	\$36.00	\$38.00	\$8.00+
Undergraduate Part-time	25.00	30.00	28.00	3.00+
Graduate	25.00	30.00	28.00	3.00+
Coop Teacher	25.00	30.00	28.00	3.00+
Interession (all students)	25.00	30.00	24.00	1.00-
Summer Session (all students)	25.00	30.00	28.00	3.00+

EXPLANATION: The current fee schedule is necessary to run through the end of this fiscal year to meet debt service and budgetary commitments which have already been made. With the beginning of the new fiscal year, the revised schedule will be used in all planning and budgetary actions.

E. STUDENT RECORDS ACCESS POLICY:

RESOLVED, That the following Student Records Access Policy be adopted:

STUDENT RECORDS ACCESS POLICY

The following is the policy of the Board of Higher Education for all units of City University required by regulations under the Federal Education Rights and Privacy Act of 1974* (the "Act"). The rights of students to their records are as provided in this policy.

1. Definitions. a. Student. With respect to education records maintained at a college, a student is a present or former student at that college. With respect to education records maintained at the Central Office, including the University Admissions Processing Center and the Office of Admission Services, a student is a present or former student of any unit of the University. An applicant is not a student until he/she attends a college.

*General Education Provision Act. Title IV, Pub. L. 90-247 as amended, 20 U.S.C. 123g; 45 C.F.R. Part 99.

b. Education record. An education record is any information or data which directly relates to a student and is maintained by a college or the Central Office, except a record described in paragraph 7, subparagraphs a through e.

2. Notification. Each college** shall inform its present students of this policy at least annually by publication in the college catalogue or bulletin, in the first November edition of each student newspaper which is published at least on a monthly basis during the regular academic year, by posting on bulletin boards in each department of the college and in the Registrar's office, or by such other medium as is generally available to and read by the college's students.

3. Listing of records maintained at the colleges. Each college shall establish and maintain a listing of the types and locations of education records maintained there, and the titles and locations of the officials responsible for those records, provided, that with respect to education records maintained by individual members of a department, the college may indicate on the listing that the head of the department should be contacted with respect to identifying the types and locations of the records for which individual members of the department are responsible. The listing shall be included in the notification to students made under paragraph 2 and a copy sent to the Office of Legal Affairs.

4. Procedures to inspect and review records. a. A student who wishes to inspect and review his/her education records may make the request to the person in charge of the office which is the official custodian of the record in question, or that person's designee, but a request pertaining to records in the custody of a student's teacher or counselor should be made directly to the teacher or counselor.

b. A request may be oral, but a college may require specific categories of requests to be in writing.

c. A request shall be granted or denied in writing within 15 days of receipt of the request.

d. If the request is granted, a college official may be present when the student inspects and reviews his/her education records. A student at his reasonable request shall be provided with an explanation and interpretation of the record to which access is granted.

e. If the request for access is denied or not responded to within 15 days of receipt, the student may appeal to a person designated by the college President. The appeal must be in writing and should identify the particular records to which access was requested, the date of the original request for access, the person to whom the request was made, and the reasons why the student believes he/she has a right of access to the record. The appeal shall be decided no later than 25 days after the receipt of the original request for access. A denial of a request for access must be in writing and contain the reasons for the denial and a statement that the student has a further right of appeal to the General Counsel and Vice Chancellor for Legal Affairs. The student may thereafter send the appeal to the Office of Legal Affairs at 535 E. 80th Street, N.Y., N.Y. 10021. The appeal must be in writing and include a copy of the college's determination on appeal and the reasons why the student disagrees with the determination. The Vice Chancellor for Legal Affairs shall render a decision no later than 20 days after receipt of the appeal.

5. Copies. Where a student is to be provided with copies of records, a fee of 25 cents per page shall be charged for each uncertified copy. Copies of education records are not required to be provided the student (except under paragraphs 9b and 11) if:

a. the record can be reasonably read and comprehended by the student upon visual examination; or

b. the student has no disability which prevents him/her from coming to the college; or

c. the student resides less than 50 miles from New York City.

****For the purposes of the procedures provided for in this policy, the Central Office is a college, and the Chancellor or his designee shall perform the functions of the President.**

6. Procedures for record correction.

a. A student may request correction of his/her education records on the basis that an entry or entries are inaccurate, misleading, or in violation of the student's right of privacy or other rights. The request must be made in writing addressed to an individual or office designated by a college President. The request to the extent possible, shall identify the record or records containing the challenged entry or entries, the challenged entry or entries, and a brief statement of why the student believes the entry or entries to be inaccurate, misleading, or in violation of his/her right of privacy or other rights. A student may not contest the assignment of a grade through this procedure, but may contest whether the assigned grade was recorded accurately.

b. The designee shall within 15 days after receipt of the written request, grant or deny the request in whole or in part and inform the student. If the designee denies the request in whole or part, the student shall also be advised in writing of his/her right to a hearing under subparagraph 6(c) below.

c. A student may request a hearing if his/her request to correct has been in whole or in part denied, or if the designee has not responded to the request within the 15 day period. The request for a hearing shall be in writing addressed to an individual or office designated by the college President, and shall contain the same information contained in the request to correct the records.

d. Within seven days after receipt of a request for a hearing, the student shall be notified of a date, time and place of the hearing, which shall take place within a reasonable time after receipt of the request.

e. At the hearing the student shall have a full and fair opportunity to present evidence relevant to the issues raised under subparagraph 6(a), before a person selected by the college who does not have a direct interest in the outcome of the hearing. The student may be assisted or represented by individuals of his or her choice, including an attorney, at his or her expense.

f. The hearing officer within 15 days after the conclusion of the hearing, shall render a report to the President in writing which shall include a summary of the evidence and the reasons for the decision, and which shall be based solely upon the evidence presented at the hearing. The President shall render a final decision within 15 days after receipt of the report on the basis of the evidence, which shall include a summary of the evidence and reasons for the decision. The student shall be provided with a copy of the final decision. If the request is denied in whole or in part the student shall also be advised of his/her right to place in his/her education records a statement commenting on the information in the challenged record and setting forth any reasons for disagreeing with the decision.

7. Records not mandatorily accessible. Records to which access may be denied, are:

a. Records pertaining to the student of instructional, supervisory, administrative staff, or educational personnel ancillary thereto which are in the sole possession of the maker and are not accessible or revealed to another person except a temporary substitute.

b. Records pertaining to the student which are maintained on behalf of a college by contract guard service or by college security personnel or other unit having a law enforcement function provided:

- 1) such records are maintained apart from other records pertaining to the student,
- 2) are maintained solely for law enforcement purposes,
- 3) are only made available to local law enforcement officials, and
- 4) the contract guard service, security or other such personnel do not have access to other records pertaining to the student.

- c. Employment records of a college employee who may be a student provided:
- 1) such records are normally maintained by the college,
 - 2) relate exclusively to the individual's employment,
 - 3) are used only for employment purposes.
 - 4) such employment is not the result of student status.
- d. Records pertaining to the student which are made by a physician, psychiatrist, psychologist, or other recognized paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity, which
- 1) are created, maintained, or used only in connection with the provision of treatment to the student, and
 - 2) are not disclosed to anyone other than the individuals providing the treatment.
- e) Records which pertain to a student generated after he/she is no longer an enrolled student at the college.
- f. The financial records of a student's parents, and the information contained therein.
- g. Confidential statements and confidential letters of recommendation which were placed in the student's file prior to January 1, 1975, provided:
- 1) the letters and statements were solicited or obtained with a written or implied understanding of confidentiality and
 - 2) the letters and statements are used solely for the purposes for which they were specifically intended.
- h. All other confidential recommendations relating to admission to educational institutions (including other units of the City University or schools or programs within a particular college), employment applications, or relating to the receipt of an honor or honorary recognition, provided:
- 1) the student or applicant has signed a waiver of the right of access and has been given the opportunity to request to be notified of the names of all individuals providing the recommendations,
 - 2) the recommendation is used only for the purpose for which it was originally intended, and
 - 3) the waiver is not required as a condition of admission to or receipt of any other service or benefit from the college.
- i) Any other record which pursuant to any other law or regulation, is privileged, or which is otherwise inaccessible to the student.
8. Directory Information. a. The following categories of directory information may be made available to individuals with a legitimate interest in such information: A student's name, attendance dates, telephone listing, home address, present address, major and minor fields of study and degrees and awards received. This shall not be construed to require that such information be released.
- b. Any student may require that any or all of the information set forth in subparagraph (a) not be released by a college without his/her prior written consent, by completion of a form to be made available in the Registrar's office of each college during regular business hours. A separate form must be completed and separately submitted by the student for each City University college attended.
9. Access without prior consent. Access without prior consent of the student to education records may be furnished under the following circumstances:

a. Legitimate educational interest: To a college, central office or Board of Higher Education official, employees or agent who has a legitimate educational interest in particular student records. A person shall be deemed to have a legitimate educational interest in obtaining access to a particular record if access is reasonably necessary in order to perform his/her instructional, research, administrative or other duties or responsibilities. A college may promulgate a narrower definition of legitimate educational interest with respect to access to its student records by its personnel than that provided herein. In that event, notification shall be given of the narrower definition.

b. Other School Officials: To an official of a school or school system or another unit of City University, who indicates that the student has applied for admission. Any such request shall be complied with without notice to the student, but upon such student's request, a copy of the education records transferred will be provided the student and the student may challenge their content under paragraph 6.

c. To an authorized representative of:

1) The Controller General of the United States

2) the Secretary of the Department of Health, Education and Welfare

3) the U.S. Commissioner of Education, the Director of the National Institute of Education or the Assistant Secretary of Education

d) To State or local officials with mandatory statutory right of access prior to November 19, 1974, under such conditions as may be specified by the statute.

e. To accrediting institutions, for purposes of carrying out accrediting functions.

f. To organizations external to the City University conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction; provided, that such studies are conducted in a manner which will not permit the personal identification of students by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purpose for which the study was conducted.

g. In connection with the student's application for or receipt of student financial aid, to the extent necessary to determine financial aid eligibility, and the amount thereof, conditions to be imposed regarding the financial aid, and to enforce the terms and conditions of financial aid.

h. Pursuant to a judicial order or pursuant to a lawfully issued subpoena, provided a notice is mailed to the student three days in advance of compliance, addressed to the last known address, except a shorter period of notice may be authorized by the General Counsel and Vice Chancellor for Legal Affairs.

i. In connection with an emergency where knowledge of the information is necessary to protect the health or safety of the student or other individuals. The factors to be taken into account in determining whether personally identifiable information from the education records of a student may be disclosed include the following:

1) The seriousness of the threat to the health or safety of the student or other individuals;

2) The need for the information to meet the emergency;

3) Whether the parties to whom the information is disclosed are in a position to deal with the emergency; and

4) The extent to which time is of the essence in dealing with the emergency.

This subparagraph "i" shall be strictly construed.

10. Discretionary access to records. a. A student may be granted access to the records specified in paragraph 7 if University or college policy so provides, provided such access does not violate the right of another.

b. Access to a student's education records without the student's consent under subparagraphs 9(b) through (f) shall only be granted where required by law or regulation or if University or college policy so provides.

11. Access with the consent of the Student. The written consent of the student is required for disclosure of personally identifiable information from the student's education records except as provided in paragraphs 8 and 9, or where the disclosure of accessible records is to the student him/herself. The written consent must be signed and dated by the student and shall include:

a. A specification of the records to be disclosed

b. The purpose of the disclosure, and

c. The party or class of parties to whom the disclosure may be made.

Where a record is disclosed pursuant to the student's written consent, the college, upon the student's request, shall provide the student with a copy of the record,

12. Limitation on redisclosure. Any disclosure of personally identifiable information from the education records of a student except under paragraph 8 of this policy may be made only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior written consent of the student, except that the personally identifiable information which is disclosed to an institution, agency or organization may be used by its officers, employees and agents, but only for the purposes for which the disclosure was made. The party to whom the disclosure is made shall be informed of this requirement. This does not preclude the college from disclosing personally identifiable information under paragraph 9 of this policy with the understanding that the information will not be redisclosed to other parties under that section; provided that the recordkeeping requirements of paragraph 14 of this policy are met with respect to each of those parties.

13. Student's parents. The parent of a student has no rights deriving from that status with respect to the records of a student, regardless of the student's age.

14. Record of requests for access. a. Record of each request for and each disclosure of a student's records under subparagraphs 9(c), (d), (e), (f), (g), (h), and (i), shall be maintained in the Registrar's office of each college.

b. Such record shall list the parties who have requested or obtained information concerning the student, and the reason for the request, and shall be available for inspection by the student.

c. A college may designate additional or other places where the record of disclosure will be maintained.

d. Such record shall be accessible to the student, the Registrar and designated members of the Registrar's staff, and for purposes of auditing and recordkeeping procedures, any individual specified in subparagraphs 9(a) and 9(c) in accordance with the conditions set forth therein.

15. Waivers. a. A student may waive any of his or her rights under the Act, the regulations or this policy provided the waiver is in writing and signed by the student.

b. No college may require that a student execute a waiver of his/her rights under the Act, the regulations or this policy.

c. A waiver may be revoked by a student provided the revocation is in writing.

16. Destruction of education records. No record may be destroyed while a request for access to that record is pending. Nothing in this policy otherwise requires the retention of any record.

17. Copies of this policy. A copy of this policy including college policy adopted hereunder shall be furnished upon request.

18. Complaints regarding violations of the Act, or the regulations thereunder. A student who believes that his/her rights under the Act or the regulations thereunder have been violated may submit a complaint in writing to:

The Family Educational Rights and Privacy Act Office
330 Independence Avenue SW
Washington, D.C. 20201

EXPLANATION: The Federal Educational Rights and Privacy Act ("Buckley Amendment") and the federal regulations adopted under it require the University to have a policy regarding student records access. This policy complies with the governmental requirements.

F. WAIVER OF CERTAIN SELECTIVE BYLAWS - HOSTOS COMMUNITY COLLEGE:

RESOLVED, That the provisions of subdivisions a through e of section 9.1 of the Bylaws, relating to the election of departmental chairpersons be suspended in relation to the selection of chairpersons at Hostos Community College in those cases where the Department or other educational unit has undergone reorganization. Such suspensions to be applicable to chairpersons serving during any of the period commencing immediately and ending August 31, 1982; and be it further

RESOLVED, That during such period, the President of Hostos Community College may, subject to usual approval procedures of the Board, appoint and remove as chairpersons of departments at Hostos Community College, persons otherwise qualified to serve; and be it further

RESOLVED, That elections of members of departmental committees on personnel and budget or appointments committees during such period shall be held at the time they would otherwise take place if elections of chairpersons were to be held.

EXPLANATION: The Board finds that the tasks to be undertaken at Hostos Community College by the incoming President are such as to require a partial exemption from the bylaw structure in those cases in which the President recommends and the Board of Higher Education approves reorganization of Departments or academic units. Each specific action involving departmental reorganization will be submitted for Board approval via the University Report.

NO. 7. COMMITTEE ON ACADEMIC AFFAIRS: RESOLVED, That the following items be adopted:**A. GRADUATE SCHOOL AND UNIVERSITY CENTER - PH.D. IN CRIMINAL JUSTICE:**

RESOLVED, That the program in Criminal Justice leading to the Ph.D. Degree to be offered by the Graduate School and University Center at John Jay College of Criminal Justice be approved subject to financial ability.

EXPLANATION: This program is designed to provide individuals with the preparation required to assume leadership roles in the field of Criminal Justice. The Program will offer doctoral work specifically developed to meet the needs for persons who will engage in teaching or research in the field of Criminal Justice.

B. AGREEMENT BETWEEN QUEENS COLLEGE AND THE BOARD OF EDUCATION RE OPERATION OF A MIDDLE SCHOOL:

RESOLVED, That the Board approve, on behalf of Queens College, the development of an agreement between the College and the Board of Education involving a cooperative effort in the operation of Intermediate School 227; and be it further

RESOLVED, That this cooperative effort involve the utilization of Queens College personnel in teacher training, in-service training, curricular development and evaluation and continuing education to the extent that resources are available for this purpose; and be it further

RESOLVED, That the agreement be submitted to the Board via the University Report upon recommendation of the Chancellor after approval as to form by the General Counsel.

EXPLANATION: The Board has always considered close cooperation between the CUNY colleges and the schools of New York City as a concern of the highest priority. Queens College and the Board of Education have a long history of mutual endeavor in exploring ways to improve the quality of urban education, to better prepare teachers and other school personnel and to use schools as centers to enhance the quality of life in New York City generally. The Board of Education, its Chancellor, the President of Queens College, and the Dean and Faculty of its education departments have agreed that the establishment of a demonstration school and research center for urban education directly affiliated with Queens College and funded by the Board of Education in both its planning and operation phases would not only generate new knowledge about the practice of education, but develop a superior model of urban education in the middle grades that could be replicated effectively.

I.S. 227, the Louis Armstrong School, is envisioned as an innovative middle school serving students in grades five through eight representative both racially and academically of a cross-section of the school population of the Borough of Queens. The Queens College Center for the Improvement of Education in the Middle Grades with its appropriate institutes will be housed in the school so as to facilitate the delivery of college services, the conduct of research activities and the coordination of the various aspects of pre-service training and personnel and curriculum development.

The I.S. 227 - Queens College Center for the Improvement of Education in the Middle Grades Complex with its close proximity to the Queens College campus is seen as offering unique opportunities to utilize Queens College personnel and resources of the college in all the areas of cooperation including pre-service and in-service training for I.S. 227 staff and pre-service training for Queens College students.

Curricular and research activities, college and school faculties, as well as the pupil population will be phased in over a period of four academic years plus five summer sessions, the end of such time marking the conclusion of the first of what it is hoped will be a series of contractual arrangements between the Board of Higher Education acting for Queens College and the Board of Education. Details of the responsibilities during this time will be spelled out more specifically in the statement of agreement which will serve as the basis for joint planning and implementation between Queens College and the Board of Education.

The School will be financed through Board of Education funds.

NO. 8. DATE OF MAY MEETING: RESOLVED, That the May meeting of the Board, originally scheduled for Monday, May 28, 1979, be rescheduled for Tuesday, May 29, 1979; and be it further

RESOLVED, That the Bylaws be waived to effect this change.

EXPLANATION: Since Monday, May 28, is the federal Memorial Day holiday, it will be difficult to have a quorum present for a meeting on that day; the meeting is, therefore, being rescheduled for Tuesday, May 29. A bylaw waiver was requested because the Board's bylaws mandate that the stated meetings be held on the fourth Monday of the month.

ADDED ITEMS

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

NO. 9. DESIGNATION OF ACTING GENERAL COUNSEL: RESOLVED, That Paula Levitt be designated Acting General Counsel with compensation in addition to base salary of \$2,000 per annum effective May 1, 1979, subject to financial ability.

EXPLANATION: The Vice-Chancellor for Legal Affairs/General Counsel to the Board is leaving the University. This appointment assures continuity of service to the University.

NO. 10. ORAL REPORT OF THE CHANCELLOR: The Chancellor presented the following report on matters of Board and University interest:

A. Faculty Awards: Of 320 Guggenheim Fellowships awarded throughout the country, six went to faculty members at City University.

B. Student Awards: Of thirty Lehman Fellowships awarded to students throughout the country who wish to attend doctoral programs in New York State, two went to graduates of City University.

C. Future Governance of the University: The Chancellor reported that on Wednesday he will appear before the Senate Committee on Higher Education in Albany to give a presentation on the current state and future direction of the University, and on Friday he will present testimony before the Assembly Higher Education Committee on Mr. Siegel's proposal re a new governance structure.

Upon motions duly made, seconded and carried, the meeting was adjourned at 4:56 P.M.

MARTIN J. WARMBRAND
Secretary of the Board