

**MINUTES OF THE MEETING OF THE BOARD OF
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK**

HELD

NOVEMBER 24, 1980

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

The Chairperson called the meeting to order at 4:45 P.M.

There were present:

**James P. Murphy, Chairperson
Edith B. Everett, Vice Chairperson**

**Herman Badillo
Blanche Bernstein
James A. Cavanagh
Armand D'Angelo**

**Judah Gribetz
Harold M. Jacobs
Albert V. Maniscalco
David Z. Robinson**

Leonard J. Shine, ex officio

**Martin J. Warmbrand, Secretary of the Board
David B. Rigney, General Counsel and Vice Chancellor for Legal Affairs**

**Chancellor Robert J. Kibbee
Deputy Chancellor Egon Brenner
President Milton G. Bassin
President Roscoe C. Brown, Jr.
President Saul B. Cohen
President Flora Mancuso Edwards
President Leon M. Goldstein
President Robert L. Hess
President Leonard Lief
President Gerald W. Lynch
President Harold M. Proshansky
President Kurt R. Schmeller**

**President Ursula C. Schwerin
President Joel Segall
President Donna E. Shalala
President Joseph Shenker
President Joshua L. Smith
Acting President Arthur E. Tiedemann
President Edmond Volpe
Vice Chancellor Richard M. Catalano
Vice Chancellor Dolores Cross
Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Gerald Posman
Vice Chancellor Leonard O. Roellig
Etta G. Grass, Assistant Secretary of the Board**

The absence of Mr. Baard, Dr. Polk, Mr. Rivera, and Ms. Titone was excused.

A. NIH GRANT TO HUNTER COLLEGE: The Chairperson announced that the National Institutes of Health has awarded a five year grant to Hunter College to fund a Minority Access to Research Careers (MARC) Program and congratulated the College on this success. It is the second NIH minority support award this year to the school's Division of Sciences and Mathematics, the first being for a Minority Biomedical Support (MBS) program. Together the Grants total nearly \$2 million.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 5)

NO. 1. UNIVERSITY REPORT: RESOLVED, That the University Report for November 24, 1980 (including Addendum Items) be approved, as amended as follows:

(a) PART D - Add the following item:

D.7. Personnel Matter; Appointment of Impartial Hearing Committee - The City College: RESOLVED, That pursuant to section 21.4 of the collective negotiating agreement with the Professional Staff Congress/CUNY, the following persons, namely, Professor Edward Quinn, Professor Joseph Brogan, and Professor Shirley Wedeen, are appointed to constitute the impartial hearing committee to hear and determine the charges served upon Associate Professor Joseph Shpiz.

EXPLANATION: Charges of neglect of duty were served upon Associate Professor Joseph Shpiz, Department of Physics of The City College, on October 20, 1980. The City College Review Committee on Personnel and Budget designated Professor Edward Quinn, Department of English of The City College, to serve on the impartial hearing committee to consider the charges. Professor Joseph Brogan, Department of Biological Sciences of the New York City Technical College was designated to serve on the committee by the University Faculty Senate. Professors Brogan and Quinn selected Professor Shirley Wedeen, School of Education of Brooklyn College, to serve as the third member and chairperson of the committee. Professor Wedeen, however, was not selected until after October 30, 1980; the impartial hearing committee, therefore, was not constituted within ten calendar days of the service of the charges as provided in section 21.3 of the collective negotiating agreement between the University and the Professional Staff Congress/CUNY. Section 21.4 of the collective negotiating agreement provides that in the event the hearing committee is not appointed within ten days of service of the charges, the Board is to appoint the members of the committee.

(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 of a non-policy nature which require approval by the Board of Trustees.

NO. 2. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for November 24, 1980 (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 Chancellor's Report consists of standard resolutions and actions of a non-policy nature which require approval by the Board of Trustees.

NO. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the meeting of the Board of Trustees held September 29, 1980 be approved as circulated.

NO. 4. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved.

A. DESIGNATION OF THE ROBERT CHAMBERS LABORATORY AT THE CITY COLLEGE:

RESOLVED, That Room 823 of Marshak Hall at The City College be designated the Robert Chambers Laboratory for Microsurgery and Micromanipulation effective December 1, 1980.

EXPLANATION: The Robert Chambers Laboratory for Microsurgery and Micromanipulation is an unincorporated research facility, formerly located at New York University, which supported research and training in the techniques of microsurgery with support from friends and associates of the late Robert Chambers, and from corporate donors. In a reorganization of its Biology Department, New York University decided to relinquish the name of the laboratory so that two of the scientists who work in it, both on the faculty at The City College, could continue its work at their own campus. The College will incur no additional costs in designating one of its laboratories for this purpose, and stands to increase external funding of this type of scholarly activity through the designation.

B. COLLECTIVE BARGAINING AGREEMENT, INSTRUCTIONAL STAFF:

RESOLVED, That the collective negotiating agreement, the supplementary agreement covering Continuing Education, and the supplementary agreement covering the Educational Opportunity Centers, between The City University of New York and the Professional Staff Congress/CUNY for the period September 1, 1980 through August 31, 1982 are hereby approved subject to approval of the Financial Control Board; and be it further

RESOLVED, That agreement between the University and the Professional Staff Congress/CUNY setting forth procedures for an agency shop fee deduction, as provided in said collective negotiating agreement, is hereby approved and the Chancellor is hereby authorized to execute such agreement; and be it further

RESOLVED, That upon due ratification by the membership of the Professional Staff Congress, said agreement, the supplementary agreement covering Continuing Education and the supplementary agreement covering the Educational Opportunity Centers, shall be submitted to the Financial Control Board for approval; and be it further

RESOLVED, That upon approval of such collective negotiating agreement, the supplementary agreement covering Continuing Education and the supplementary agreement covering the Educational Opportunity Centers by the Financial Control Board, the Chancellor is hereby authorized and directed to execute such agreements.

EXPLANATION: The prior collective negotiating agreement between the parties expired August 31, 1980. The resolution approves a successor agreement.

C. TITLES OR DUTIES EXCLUDED FROM AGREEMENTS WITH THE PROFESSIONAL STAFF CONGRESS:

RESOLVED, That effective September 1, 1980, the collective bargaining agreement with the Professional Staff Congress for the period September 1, 1980 - August 31, 1982 with respect to the articles thereof identified below, shall apply to all employees in the functions or titles who are excluded from the agreement pursuant to article 1 thereof for the period September 1, 1980 through August 31, 1982. Such application shall prevail during the time of service of an individual in the designated titles or while performing the functional duties which are the basis for exclusion from the agreement:

Article 1	Recognition (insofar as exclusions from the unit are identified)
Article 14	Leaves and Holidays
Article 16	Temporary Disability or Parental Leave
Article 17	Jury Duty
Article 24	Salary Schedules (in the regular appointment title, exclusive of rems)
Article 25	Research, Fellowship and Scholar Incentive Awards (for persons with faculty responsibility)
Article 26	Welfare Benefits
Article 27	Retirement
Article 29	Waiver of Tuition Fees
Article 30	Facilities and Services
Article 31	Rehiring of Persons who are Discontinued
Article 33	Faculty Development
Article 34	Medical Series
Article 35	Resident Series
Article 40	Duration

and be it further

RESOLVED, That the articles listed above except as modified in the supplemental agreement for the Educational Opportunity Centers shall be applicable to excluded personnel in the Centers; and be it further

RESOLVED, That with respect to articles of the aforesaid agreement not made applicable to the titles and functions referred to above, the Chancellor shall issue such rules as he may deem appropriate to regulate the matters otherwise covered by the aforesaid agreement.

EXPLANATION: In establishing the collective bargaining unit and during the course of subsequent negotiations with the PSC, certain employees of the University were excluded from coverage under the agreement by virtue of their titles or functions. These exclusions are based on the confidentiality, or policy, or managerial responsibilities of the affected individuals. University employees assigned to the titles or duties excluding them from the negotiated agreement, however, have titles which would otherwise be covered by the agreement. The University entering into a collective bargaining agreement did not intend to deprive its excluded employees of the provisions contained in the articles referred to in the resolution. The resolution is consistent with previous actions adopted following Board approval of the predecessor agreements.

D. COMPENSATION OF THE CHANCELLOR; EXECUTIVE PAY:

(1) COMPENSATION OF CHANCELLOR: RESOLVED, That the Chancellor's salary be adjusted to the annual rate of \$61,685 effective September 1, 1980.

EXPLANATION: This resolution sets the compensation of the Chancellor at the same level as that of the State University's Chancellor. In The City University the Chancellor's compensation has increased less than 7% in the period October 1, 1974 to June 30, 1980. The salary adjustment proposed in this resolution represents an increase of 3.84% above current annual salary of \$59,403.

(2) EXECUTIVE PAY: RESOLVED, That the following schedule for remuneration above base salary (salary supplements) be established for the executive titles indicated:

	Current Supplement	Supplement effective September 1, 1980
Deputy Chancellor	\$13,000	\$14,040
President	13,000 11,000 9,000	14,040 11,880 9,720
Vice Chancellor	10,000	10,800
Vice President & Deputy to President	9,000 8,000	9,720 8,640
University Dean University Administrator Vice President Dean and Deputy to President	7,500	8,100
Dean Administrator Assistant Vice President	7,000	7,560
University Associate Dean University Associate Administrator	6,000	6,480
Associate Dean Associate Administrator	5,500	5,940
University Assistant Dean "A" University Assistant Administrator "A"	5,000	5,400
Assistant Dean "A" Assistant Administrator "A"	4,500	4,860
University Assistant Dean "B" University Assistant Administrator "B"	--	2,700
Assistant Dean "B" Assistant Administrator "B"	--	2,430
General Counsel	2,000	--

and be it further

RESOLVED, That this schedule be effective September 1, 1980.

EXPLANATION: The salary of executive staff in the University is composed of a base salary pertaining to the instructional title to which the executive is appointed, and a salary supplement which is added to the base salary. These supplements recognize the executive responsibilities assumed by persons in these key positions as well as the additional two months of work which individuals appointed to faculty positions are required to perform when they assume executive positions.

In order to provide for increased flexibility this schedule provides for two levels of Assistant Administrator/Assistant Dean titles so as to enable the University to organize more appropriately its managerial staff.

In view of the salary adjustments made for instructional staffs since 1972, the compensation for executive staff has not kept relative pace with those of the instructional staff. The current supplements, which have been in effect since October 1972, neither properly compensate for summer work for faculty members nor for the increased responsibilities of executive positions. Hence, CUNY's executive salaries have not kept pace with inflation. The increases are necessary to retain and attract capable administrators. The schedule provides for increases in supplements of 8%, matching the increases in instructional staff salaries.

NO. 5. EXECUTIVE SESSION: Withdrawn.

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

NO. 6. PRESIDENTIAL DISCRETIONARY FUNDS: RESOLVED, On the recommendation of the Chancellor, that the Chancellor is hereby directed to develop, in association with the Presidents, through a Presidential Task Force of his selection, a set of all-university guidelines for expenditures from presidential discretionary funds; that such guidelines shall contain a prohibition against the expenditure of any such funds for any candidate or political party in any campaign for public office; that such guidelines shall be reported to the Board at an early date for its information and consideration; and that, pending the development of such guidelines and their review by the Board, the above prohibition against political campaign contributions shall take immediate effect.

It was agreed that the Task Force would be asked to present its report to the December meeting of the Board.

Mr. Shine posed four questions for consideration by the Task Force.

Upon motions duly made, seconded and carried, the meeting was adjourned at 5:07 P.M.

MARTIN J. WARMBRAND
Secretary of the Board