

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

**HELD**

**MAY 22, 1989**

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

The Chairperson called the meeting to order at 4:39 P.M.

There were present:

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

**Paul P. Baard  
Blanche Bernstein  
Sylvia Bloom  
Marla Josefa Canino  
Gladys Carrion**

**Louis C. Cenci  
Harold M. Jacobs  
Calvin O. Pressley  
Thomas Tam**

**Abdallah Muhammad, ex officio**

**Shirley Ullman Wedeen, ex officio**

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

**Chancellor Joseph S. Murphy  
Deputy Chancellor Laurence F. Mucclolo  
President Milton G. Bassin  
President Roscoe C. Brown, Jr.  
Acting President Leo A. Corble  
President Leon M. Goldstein  
President Matthew Goldstein  
President Bernard W. Harleston  
President Robert L. Hess  
President Augusta Souza Kappner  
President Shirley Strum Kenny  
President Paul LeClerc  
Acting President Tilden J. LeMelle**

**President Leonard Lief  
Acting President Martin Moed  
President Harold M. Proshansky  
President Isaura S. Santlago  
President Kurt R. Schmeller  
President Joel Segall  
Sr. Vice Chancellor Donal E. Farley  
Vice Chancellor Ira Bloom  
Acting Vice Chancellor Joyce Brown  
Vice Chancellor Jay Hershenson  
Vice Chancellor Joseph F. Vivona  
Dean Haywood Burns  
Dean George I. Lythcott**

The absence of Mr. D'Angelo, Mr. Howard, and Ms. White was excused.

## BOARD OF TRUSTEES

**A. ORAL REPORT OF THE CHAIRPERSON:** The Chairperson stated that the University has had an eventful month since the last Board meeting, and he expressed his gratification that the Board was meeting in an atmosphere of normalcy although there are still urgent budgetary items that the University is facing. He congratulated the Presidents, the Chancellor and his staff, the members of the Student Affairs Committee, particularly Gladys Carrion, and the students for a sensible and a peaceful resolution of the disruption which affected the University. The University has come to closure on the budget for this year, but it will be a tight year. He acknowledged the presence at the meeting of faculty who are concerned. All in all, in a year in which there was a \$2.7 billion fiscal shortfall, the University has come through without having to increase tuition and in reasonably good order. What happens going forward is something in which the Board and the University community must be continuously concerned and involved in working it through. For that reason, the retreat scheduled for June 21 has been postponed until September, at which time more will be known about what the longer implications are for the University. He hoped to have a planning group consisting of Trustees, Presidents and key staff in place within the next ten days to prepare for the September meeting.

The Chairperson concluded by saying that although the University has come through a difficult period, its work is not finished. There is a great deal of uncertainty. He thanked everyone for working through a major challenge in a way that makes the University community a stronger family. The Presidents were right on the line, managing the problem on a moment by moment basis, and he expressed the Board's appreciation to them for their leadership over the last several weeks in a very difficult and challenging situation.

**B. MANAGEMENT ADVISORY COMMITTEE:** The Chairperson reported that both the State and City Universities have been requested by the Executive to establish for a temporary period of time management advisory committees. He announced that Percy Sutton, the former Borough President of Manhattan and who is a distinguished member of the business community, communications field, publishing field and one of the premier citizens of this City, has agreed to serve as chairman of the management advisory committee. This is to be looked on as a group primarily of senior business people and others from the public sector, non-profit section, who have deep experience in managing large enterprises by virtue of direct experience or special expertise, to help the Board and the Central Administration by way of making suggestions. This is not unprecedented. The University has had groups in the past that have served very well in advisory capacities. Percy Sutton, with his combination of major business and public service experiences, will be very helpful to the Board and the University. To the extent that the group has anything that it would like to suggest in terms of the Board's planning and retreat process, the Board will be in touch with it.

Dr. Jacobs pointed out that many of the colleges have among the faculty distinguished men who are leaders of the business community of the City who could act as advisory members. The Chairperson stated that The City University has the second largest number of CEO's in Fortune 500, and some of those people have a long interest in the University and are active with alumni and other groups or in other capacities with the colleges. They would be very suitable to serve on this advisory group.

**C. FACULTY HONORS:** The Chairperson reported the following honors accorded members of the University faculty:

- (1) Melvin Dixon, professor of English at Queens College, has been awarded the University of Colorado's Charles H. and N. Mildred Nilon Excellence in Minority Fiction Award for his first novel, Trouble the Water.
- (2) Suzanna Simor, assistant professor and director of the art library at Queens College, has been elected vice-chairperson/chairperson-elect of the New York Chapter of the Art Libraries Society of North America.
- (3) Daniel T. Burke, director of admission services at Queensborough Community College, received the Association for Humanistic Education and Development (AHEAD) Les Carlin Award for outstanding contributions to the field of humanistic education and development. The award was presented at the recent National Convention of the American Association for Counseling and Development (AACD), the 59,000 member parent organization of AHEAD.

**D. STUDENT HONORS:** The Chairperson reported that two Hunter College seniors are among 126 undergraduates nationwide to be awarded 1989 Mellon Fellowships, given to students who plan to go on to graduate school and then teach at the college level. They are Sumi Furiya, who has been studying classics and maintaining a 4.0 grade point average while making a living as a self-taught computer programmer, and Elaine C. Freedgood, an English major who has attended college and maintained a 3.95 grade point average while working full-time as a nurse.

**E. GRANTS:** The Chairperson presented for inclusion in the record the following report of grants received by units of the University:

(1) Graduate School and University Center: The Graduate School and University Center has received the following grants:

(a) \$56,440 from IBM to Prof. Harry Levitt for a project entitled "Psychoacoustical Processing of Time-Varying Noise."

(b) \$50,000 from the National Endowment for the Humanities to Thomas Karis for a Documentary History of Black Protest and Challenge in South Africa Since 1964.

(2) Brooklyn College: Brooklyn College has received the following grants:

(a) \$159,315 from the National Institutes of Health to Theodore Raphan, Computer and Information Science Dept., for a project entitled "Multidimensional Dynamics of the Vestibulo-Ocular Reflex."

(b) \$123,000 from the National Science Foundation to Carl Shakin and Louis Calenza, Physics Dept., for Studies in Theoretical Nuclear Physics.

(c) \$106,347 from the U.S. Dept. of Education to Lionel Forstall, Educational Services Dept., for the Talent Search Program.

(3) The City College: The City College has received the following grants:

(a) \$223,926 from the National Science Foundation to Prof. Martin Marin, Secondary & Continuing Education Dept., for a Science Collaborative Project.

(b) \$179,843 from the National Science Foundation to Prof. Z. Dagan, Mech. Engr. Dept., for a project entitled "Theory of Nucleate Pool Boiling Heat Transfer."

(c) \$120,000 from the National Aeronautics & Space Administration to Prof. W. Pierson, Institute of Marine and Atmospheric Studies, for Studies of Radar Backscatter as a Function of Wave Properties and the Winds in the Turbulent Marine Atmosphere.

(d) \$118,495 from the Office of Naval Research to Profs. N. Marinovic & L. Roytman, Elect. Engr. Dept., for a project entitled "Non Stationary Underwater Acoustic Signal Statistical Modelling By Approximation."

(e) \$104,000 from the U.S. Dept. of Energy to Prof. H. Cummins, Physics Dept., for a project entitled "Dynamics and Pattern Selection at Crystal Melt."

(f) \$78,000 from the National Science Foundation to Prof. D. Calhoun, Chemistry Dept., for a project entitled "Autoregulation of Gene Expression by an Allosteric Enzyme."

(g) \$77,987 from N.Y.C. Board of Education to Prof. A. J. Franklin, Psychology Dept., for the CUNY Child Center for Preschoolers.

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(h) \$55,000 from the National Science Foundation to Profs. L. Roytman, G. Eichmann, and N. Marinovic, Elect. Engr. Dept., for a project entitled "BIBO – Stability and Nonessential Singularities of the Second Kind."

(4) The College of Staten Island: The College of Staten Island has received the following grants:

(a) \$92,292 from U.S. Education Dept. to William Ebenstein for Special Services for Disadvantaged Students.

(b) \$74,261 from N.Y.S. Dept. of Energy to Margaret Dooley for a project entitled "Ethanol Production by Genetically Engineered Strains of Zymomonas mobilis in Media Containing Lactose."

(5) Hunter College: Hunter College has received the following grants:

(a) \$230,511 from the National Cancer Institute to Maria Tomasz, Chemistry Dept., for a project entitled "Adducts of Mitomycin C with Nucleotides."

(b) \$152,687 from the National Institutes of Health to David Lavallee, Chemistry Dept., for the Minority Access to Research Careers Program (for students in Biological Sciences and Chemistry).

(c) \$147,523 from the National Science Foundation to John Niman, Curriculum & Teaching, for An Urban Environmental Program for Middle and Junior High School Teachers.

(d) \$92,232 from the United Brotherhood of Carpenters and Joiners of America to Stephen Zoloth and Jack Caravanos for the Asbestos Abatement Program.

(e) \$64,908 from the National Institutes of Health to Joseph Krakow and Richard Chappell, Biological Sciences Dept., for the Biomedical Research Support Program (for support of projects in Biological Sciences, Chemistry, and Psychology).

(f) \$57,500 from the Rockefeller Foundation to Frank Bonilla, Center for Puerto Rican Studies, for a project entitled "Latinos in a Changing U.S. Economy."

(g) \$53,645 from the N.Y.S. Dept. of Social Services to Harold Weissman, School of Social Work, for Workshops for Minority Managers Management Training.

(6) Queens College has received a grant of \$160,000 from the National Endowment for the Humanities for the support of program development entitled "Faculty Seminars for World Studies Program," under the direction of Dr. Marvin Taylor of the President's Office and Deans Maimon and Mittelman.

(7) LaGuardia Community College has received a grant of \$84,240 from the U.S. Dept. of Education to Olga Vega for the continuation of the Talent Search Program.

(8) Borough of Manhattan Community College has received a grant of \$150,000 from the Aaron Diamond Foundation for the establishment of an Urban Academy.

**Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 9)**

**NO. 1. UNIVERSITY REPORT:: RESOLVED**, That the University Report for May 22, 1989 (including Addendum Items) be approved as revised as follows:

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

(b) Errata: Part B: Personnel Matters: The entry for Queensborough Community College is revised to read:

QUEENSBOROUGH COMMUNITY COLLEGE

Pg. B-1 PROMOTION IN PROFESSORIAL RANKS: The entries for Charles J. Spiteri and Elaine A. Muller-Morris are withdrawn and hereby reentered under the heading PROMOTION WITH EQUIVALENCIES.

EXPLANATION: The University Report consists of the highlights of the personnel actions and other resolutions of a non-policy nature which require approval by the Board of Trustees.

Mr. Muhammad abstained.

Dr. Bernstein thanked Deputy Chancellor Mucciollo for the very useful summary of items in the Report about which there might have been questions. She hoped this practice would be continued every month.

In response to a question from Dr. Bernstein as to what percentage of appointment applications submitted to the freeze committee are actually approved by that committee, Deputy Chancellor Mucciollo stated that of the requests for new hires, the committee has approved approximately one out of four since the freeze went into effect in November. Dr. Jacobs asked if that included HEO's and was told that it included all new appointments. The overwhelming majority of requests have been for non-teaching personnel.

Dr. Canino raised a question with respect to the reappointment of faculty or staff, who because of the budget crisis received notification of non-continuance of appointment. She asked whether there would be any review of these individuals. Deputy Chancellor Mucciollo replied that the colleges have not yet received their allocations based on the budget and will be receiving them within the next week or ten days. The colleges will then have the ability to review any non-reappointments they may have made.

Dr. Jacobs asked that in future when salary revisions are made, information be included with respect to the previous salary, the prospective salary, and the reasons for the change. He did not want to mention names or colleges.

Mr. Muhammad stated that it might be well to mention names and colleges because the Board should note the colleges that are following the requirements and those that are not.

He asked how the items in the University Report affected the \$7.6 million gap still facing the University, which still exists despite the return of \$18 million which the Governor was generous enough to find for the University. He asked how the colleges would account for this \$7.6 million gap for the senior colleges.

Deputy Chancellor Mucciollo stated that the colleges were obligated by the PSC agreement to make the reappointments listed in the Report in the spring. Additional personnel actions will have to be based on the availability of funds in the budget. The colleges may also have the ability to review non-reappointments already made for a relatively small number of cases. The Chairperson pointed out that there has been some anticipation in the reappointment process of less money being available, and the Deputy Chancellor agreed that decisions were made taking into account that there would be less money available next year.

Mr. Muhammad stated his understanding that there would be some reductions in staff in the senior colleges because of the \$7.6 million gap, and the Deputy Chancellor agreed. Mr. Muhammad spoke of a plan to reduce the full-time staff by 72 people, not including the \$1.2 million reduction in adjuncts. He pointed out that adjuncts are the mainstay of the evening classes. This would mean a reduction in classes, an increase in class size, and a close-out of classes. Deputy Chancellor Mucciollo stated that some of the decisions with respect to the \$7.6 million have not yet been made, and the colleges would not make those decisions until they actually have the numbers and can look at their actual filled position levels and their anticipated attrition and take whatever action they are obligated to take.

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The Chairperson pointed out that there is flexibility in the budget so that the colleges that have large part-time enrollments will be able to move resources around so that potential enrollment will be accommodated in the best way possible.

Mr. Muhammad asked how enrollment could increase 5.9% and there still be flexibility in a budget that is being reduced by \$7.6 million. The students will be affected by this, as well as the faculty and the staff, and there is no flexibility when an increase in enrollment is contemplated.

Mrs. Everett stated that if there are fewer class sections, there will be students who will not be served by the University. She pointed out that the outcome was reasonably good, and the budget could have been a much greater disaster. But there is still a problem that must be faced. How it is handled is a serious question.

NO. 2. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for May 22, 1989 (including Addendum Items) be approved as revised as follows:

(a) Item C11.4. Central Office - Renovations and Alterations at 535 East 80th Street: Item withdrawn.

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

Mr. Muhammad abstained.

Mr. Muhammad asked how the new courses will be funded while retaining the courses already in existence and at the same time speak of reductions of faculty and staff. The Chancellor replied that there is a problem that must be acknowledged and a way to manage the problem must be figured out. Some time ago the University was faced with the possibility of laying off large numbers of faculty, as many as 1,500 at some point. Four months ago there was an Executive Budget that provided \$781 million for the University. Four or five months later the University has a budget in the \$828 million range, considerably more than where the University started but it still is not where it was hoped it would be or where it was estimated that it ought to have been. With respect to Mr. Muhammad's question about funding additional courses, the Chancellor stated that the University offers a tremendous number of courses taught by adjuncts. Over the years one of the ways in which the University has accommodated to larger numbers of students with relatively few additional resources to manage the increase was by increasing the number of adjunct hours in which people are hired and the number of adjunct sections. If this were looked at from a strictly economic point of view of efficiency, it would appear as though this increases efficiency, and indeed there are institutions of higher learning in the country, in the City and in the State, in which larger and larger proportions of the teaching are being done by a whole new class of persons who are systematically exploited by the practices that this University and other universities and major universities and rich universities put in place. Indeed, until fairly recently, within the last ten years, the Middle States Association took into account the amount of adjunct and part-time instruction involved in a college's offerings when they came to evaluate that institution and, in fact, have dropped that as a standard. All have been forced to make these accommodations to fiscal realities, this University no less than others. The answer to the question directly is that the University will increase in those cases where necessary the number of adjunct hours that classes will entail, decrease the number of hours taught by full-time faculty because there will be a smaller full-time faculty, if that is the kind of management arrangement individual institutions have to engage in. This is not a problem to be borne by any one constituency, just as being able to recover tens of millions of dollars will be credited to all constituencies, which the University managed to do in the last four months. The problems still faced are to be borne by all in some fashion. Some very creative devices will have to be used in the next few years to do two things, first, learn how to live essentially with the budget that the University has because it is not going to do very much better than the present, and, secondly, to make a better case than has perhaps been made in the past to get more resources in the future in an institution that is growing and will undoubtedly continue to grow. No one is trying to obscure the nature of the problem and the difficulties encountered. The University is self-congratulatory only because it did not have to do more terrible things. The objective was to avoid laying people off. The University has come out of this with the good prospect that it will not have to do so. That is not a terrific way of living and the University will have to do better in the future, but it is a lot better than it might have been if the University had had to live with the Executive Budget issued last January.

The Chancellor asked that the Board direct the Administration to come forward with the kinds of plans that will have to be put in place to bring about two things, living with the budget that the University is faced with, and doing better in the future.

Mr. Muhammad suggested that the University start cutting 10% from the Administration across the board, which might help ease some of the problems that the University has in terms of retaining faculty and staff. The Chancellor stated that such a decision had already been made, to which Mr. Muhammad replied that it was not good enough. The Chancellor asked for Mr. Muhammad's response if he were told that 20% would be cut, to which Mr. Muhammad replied he would like to see where the cuts were.

**NO. 2X. OPEN LETTER TO CUNY BOARD OF TRUSTEES:** Dr. Canino read into the record an open letter to the Board of Trustees from a coalition of CUNY students, faculty and staff regarding the budget, given acknowledgement of the problem. She noted that there were present members of the student body and staff who have been active in the mobilization of the last month, both to celebrate the bitter sweet victory and also to reenforce what the Chancellor has acknowledged, that this is an ongoing problem and one that has by no means been resolved. She read the statement as follows:

The press and other media have created the widespread impression that students and faculty protesting a proposed tuition increase and budget cuts for CUNY have won a great victory. As we move further from the occupied buildings and closer to summer, however, the reality looks different. True, thanks to the students' determination, the Governor vetoed the tuition increase and the original \$52 million budget cut was partially restored.

BUT...CUNY senior colleges still face a budget cut of \$7 million below the Board's compromise "standstill budget" (Chancellor Murphy's term). This cut is twice as large--totalling \$14 million--when we look at it relative to the original CUNY budget request. What, indeed, is the true picture regarding the supposed "restoration" of budget cuts?

#### CITY UNIVERSITY OF NEW YORK 1989-90 BUDGET FACTS

**FACT:** The State budget, after Cuomo's veto of the tuition increase, cut the \$32 million from CUNY's original proposed budget for the senior colleges. Only \$18 million of this amount has been restored, leaving a shortfall of \$14 million on the basis of CUNY Board of Trustees' original budget recommendations. In simple terms only 73% of the budget cuts was restored.

**FACT:** We can expect cuts in programs and services for 1989-90, including "non-reappointments" of adjuncts, and a continuation of the hiring freeze.

**FACT:** Such cuts will mean the cancellation of many classes, increases in class size, and serious reductions in student and academic support services. We have already experienced \$20 million in cuts this year, with cuts of 30% and more in adjunct budgets.

**FACT:** Student enrollment at CUNY is at the highest level in eleven years. Freshmen admissions for Fall 1989 are already up at the senior and community colleges by 4.3%, indicating even higher enrollment for next year.

**FACT:** While student enrollment is at its highest level in more than a decade, the University is still asked to absorb very damaging cuts. The severely reduced allocations for 1989-90 are likely to become the "base" budget for next year's appropriations.

As CUNY students, faculty and staff, we are asking the Board of Trustees and the Chancellor to join us in strongly, publicly opposing the fiscal deterioration of our university. We urge you to represent our views, as you are mandated to do, and to refuse complicity in these or any future cuts in CUNY's budget.

WHEN THEY CUT - WE ALL BLEED!

**NO. 2Y. ORAL REPORT OF THE CHANCELLOR:** The Chancellor presented the following report on matters of Board and University interest:

(a) The City budget was released by the Mayor last Thursday. Once every four years the City provides the University with an adequate budget without going through the lengthy efforts to persuade the City Council to make up or restore those things that do not appear in the Mayor's budget. This year the Mayor's budget appears to contain within it most of the items the University requested. There was a reduction in the \$21 million reduction to about \$3.5 million offset by a \$2.2 million allocation to the University, roughly half of the State's increase. After mandated increases and inflationary costs, the total picture for the community college budget looks pretty much as had been expected, allowing the community colleges to function in a normal way in the course of the coming year. Several agreements were made. The University agreed that as a consequence of the City budget, it would not further seek additions to the base of the City budget or continue lobbying the City Council on a special item basis. The Council has persistently persuaded the University to do better with the Mayor than it has, and it appears as though the University has done so. It is hoped, obviously, that the process as it continues through June will leave intact the allocations for City University.

(b) As was mentioned by the Chairperson, the Governor has asked that the University establish a management advisory committee. It should be pointed out that the management advisory committee is, in fact, advisory to the Board of Trustees, that the appointments made to this management advisory committee are by the University and not by the Governor, and that there is no effort here in any way to diminish or suggest any diminution of the authority of the Board of Trustees in their policy setting for the University, and, in fact, the responsibility of this advisory committee will be to enable the Board of Trustees to make policies concerning the management of the University in a more efficient way. The University will follow, as Dr. Jacobs indicated, a standard of seeking successful alumni and others. He expressed gratification that Percy Sutton has a number of honorary degrees from this institution and is, therefore, an honorary alumnus. Use will be made of the University's distinguished alumni.

(c) The health and welfare of the University during the course of the next year will depend heavily on its ability to behave in the political arena in ways that advance the University's interests. There are a couple of things that are happening in the State. The first is the increase in enrollment in The City University. This is an important event. It makes it clear to all parties that the University is in demand by the people of the City who seek its services for purposes of their own, and, collectively, for the economic health of the City and of the State, and the financing of the University, therefore, is a superior investment of the people's resources in the economic health of the State. Hopefully, that will be a persuasive argument. In any case, it is clear that the University's students and faculty and others are prepared to make a persuasive argument in their own way. He suggested that the professional services of Gladys Carrion and others will be needed in future, should the political agencies not work in a way consistent with the best interests of the University.

(d) Finally, the Chancellor expressed, on behalf of all in the University, a profound sense of loss at Chancellor Green's death. Many attended the funeral ceremonies. He wanted to make clear that Chancellor Green had done many things to advance the relationship between the University and the school system, and it is hoped that in future the foundations that he was responsible for establishing between the Board of Education and the University will be built upon and will result in further collaboration and partnership programs.

**Dr. Canino stated that there should be further acknowledgement of the great victory in part that this meeting should confirm and affirm and gathered that there must be some good political reason why this is not being done. As an individual Trustee, she asked for the privilege of the floor to make some comments in that regard.**

**The budget crisis out of which the University has just emerged, as has been discussed before, is a harbinger of other events to come, and, as the statement from the Coalition of Faculty, Staff, and Students advised, it is necessary to continue to fortify the strengthened situation that the mobilization has afforded.**

She also acknowledged that the Board was not discussing cutbacks and tuition increases in large measure because the students of the University took up the challenge of action in their own interests when many others had given up. It is important that the meeting not continue with business as usual and be so self-effacing as to not recognize and have in the record of a very historic moment that to the credit of everyone involved, this institution is the stronger for the budget crisis, and that, in being responsive to the concerns so forcefully brought to its attention, the City and State have avoided the abyss this year but that the narrowing of the chasm remains and that, in fact, the Board of Trustees, the students, faculty and Administration need to exert continued vigilance now more than ever. It is necessary to broaden the coalition of community, of faculty, of staff, of students, and of Administration, which was a force in the Governor's veto. This is so critical that it cannot be ignored. If the current and the future students are to be protected, the University must move out of the business as usual, renew its political will, and make a commitment to engage concerned students and faculty in what she proposed would be a broadened base of individuals, of organizations, and of groups, with whom the Chancellor can seek advice, from which the Chancellor can prepare reports to the Board in the very near future of the engagement and the involvement of broad-based community support internal and external to CUNY in the budget design process. The University will need all of the support that it can gather next year, and the time to begin next year's budget is now. Many of the Presidents have begun this process. The Chancellor has most recently responded to the request for a briefing from a group of very distinguished and important social welfare and social service agencies. Students have required and have demanded inclusion in the budget process, very much as the Board of Trustees has in the past year demanded further inclusion in the budget process. All are partners in an educational mission. The students are not only the beneficiaries of this mission, but now are claiming active participation. Dr. Canino stated that the University has an opportunity to be inclusive of those concerns and of those interests. She warned that particularly in the past two months there have been efforts, which were forcefully removed. In the past few months all races have worked together on the campuses, all ages, men and women, parents and single people, and needless to say, not without discipline. As the University goes into the next fiscal year, the forces of racial polarization are intent on dividing those who unite in a common cause. As one of Dr. Canino's favorite journalists in the Daily News advised, if the students are listened to, perhaps the Trustees will not accept what is wrong in CUNY and then call it unchangeable.

Dr. Canino moved that the Board abide by the Chancellor's request to direct him to establish a broad-based University group to review the University's budget situation currently and to propose and advise on next year's budget and that a report be submitted to the Board at the earliest in the Fall. She asked for a second to her motion, and Mr. Muhammad seconded the motion.

The Chairperson stated that Dr. Canino had not been recognized to make a motion, and the second was premature.

With respect to the basic sentiments expressed, the Chairperson stated that he had indicated in his comments at the outset that the University has only a partial victory. To have avoided having to have a meeting to deal with a tuition issue as an alternative to deep cuts is a singular development. But the University is left with a residual problem which is a long-term problem. He agreed that there is a very special opportunity as a family of The City University for all constituencies to continue the catalytic process that was started several weeks ago so that the message of need can be articulated to all in the community. By articulating such a message of need the University will in turn develop the political support for adequate funding for the system. The one great hope that this City has is that its public higher educational system can offer people of color, all people in this City, meaningful opportunity to full participation in the life of this City and this State and this country. One of the things being heard in the Albany process prior to the unrest was what the constituency of The City University is and what its reality is. The constituency of the University is not merely the students and those within the family of CUNY that supported the student action, but the constituency of this University is actually, if not potentially, the entire City of New York.

As to Dr. Canino's suggestion, the Chairperson stated that the Chancellor has indicated clearly that the process to bring about a resolution of the University's difficulties is an ongoing, continuing and expanding one. He felt that the Board does not have to give the Chancellor any kind of a formal directive in that regard. It is very clear what is expected of him, and what in fact he has been doing over the last period.

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In reply to a question from Dr. Canino as to when a motion would be in order, the Chairperson stated that a motion is in order at any time and that the Board has a process whereby anything formally taken up by the Board comes out of the Committee process. He did not believe the Board had to pass a motion telling the Chancellor to do what he has been doing. He suggested a resolution of the sense of the Board.

Mr. Muhammad stated that Dr. Canino wanted to be recognized to bring a motion to the floor and that this did not have to go through any other channels. It could be generated from the floor.

The Chairperson replied that the Board could have a sense of the body resolution that the Chancellor do the things that Dr. Canino had suggested.

Mr. Muhammad stated that Dr. Canino, who feels that the Board should have a right to debate an issue, should be recognized to make a motion and have it seconded.

The Chairperson stated that he had already indicated that he would entertain a motion from Dr. Canino that there be a sense of the Board resolution that the Chancellor continue the outreach rather than have it as a formal motion.

Dr. Canino asked that it be a broad-based group. Mrs. Everett pointed out that a broad-based group was established from the Central Office consisting of unions and student groups and alumni groups that were reached out to, and asked whether Dr. Canino was suggesting a formalization of this. If that was the case, Mrs. Everett could not go along with it.

Dr. Canino stated that she was suggesting in the same form, without being specific in order to allow the Chancellor to make his own judgment in consultation with the Chairperson that a broad-based group is equivalent to outreach, that it requires that it be of a smaller size than the lobbying efforts to which Mrs. Everett referred, but, rather, that this group be sufficiently of the size that could be involved in a review of the University's current budget situation and that would, in fact, represent the City as well as the internal constituencies and that would be a very good mechanism and that would be a very good preparation for next year's budget process.

The Chairperson stated that the University has a process for the Board which is a committee process. Directions to the Chancellor are not given ad hoc. The University had a process of outreach, and the Chancellor should not be placed in a narrow channel. However, given what the University has been through, he felt it would be in order to have a motion that is the sense of the Board that the Chancellor continue the process of outreach so that the University can address on an ongoing basis the fiscal problems it is facing, without being specific as to how to do that. If the Faculty, Staff, or the Student Affairs, or the Public Affairs Committees feel, any one of them or all of them, that there ought to be a more formal process, they are fully empowered to deliberate as a committee and bring to the Board a proposal as to how the Board should proceed. The Chairperson stated that he was trying to preserve the integrity of the process. He understood the spirit but was concerned about the detail.

Dr. Canino stated that she approved of the Chairperson's suggestion as long as it was understood that the outreach should consider the possibility of a broad-based group.

The motion was seconded.

In response to a question from Dr. Baard with respect to the open letter read by Dr. Canino, the Chairperson stated that that was read into the minutes as a courtesy.

Dr. Bernstein stated that she would have no objection to a general resolution both commending the Chancellor for the outreach efforts that he made during these past months and urging him to continue those efforts. But if this resolution is worded in such a way that it implies that some broad-based group will play a role in the formation of the budget, she would oppose it violently. That is a function of the Board of Trustees and of the staff and not of any vague broad-based group.

Dr. Jacobs expressed concern that there would be too many committees. He was in accord with this but mentioned the advisory committee to be chaired by Percy Sutton. It was pointed out that the proposed sense of the Board resolution did not set up a committee.

The Chairperson stated that the motion was in order because there is a sense of urgency in the University's situation.

The Chancellor objected to the words "outreach" and "ongoing." He suggested that coalition building was what was being discussed with as wide a constituency as possible on behalf of the University. That is what has been done and whether it is necessary to have a motion to do more of the same, on behalf of the Board of Trustees, is not clear but certainly is welcome.

Dr. Canino hoped that the intent was to continue the large broad-based initiatives which are really post April 27.

The revised motion stated that it was the sense of the Board that the Chancellor continue his efforts to build a coalition as wide as possible of constituencies to address the fiscal problems that the Board has been facing. The motion was seconded and adopted unanimously.

Mrs. Everett commented on the students and their leadership during the whole process. Large gatherings with something important on their minds sometimes tend to get out of hand. The University can be very proud of the way in which the students conducted themselves in maintaining the quality of the buildings and the quality of the streets, in their approach to passersby. She had opportunity to witness this and felt that they made overwhelmingly a very good impression on the people of New York because they were not distracted by violence and vandalism. They focused on issues and made their points clearly and well. She felt she was speaking for the Board and the Central Office.

**NO. 3. APPROVAL OF MINUTES: RESOLVED,** That the minutes of the Board meeting of April 24, 1989 be approved.

**NO. 4. BOARD MEETING DATES FOR 1989-90 ACADEMIC YEAR: RESOLVED,** That the following schedule of meeting dates be approved for the academic year 1989-90, with the understanding that a meeting will also be held in December if the need arises:

Monday, September 25, 1989	Monday, March 26, 1990
Monday, October 23, 1989	Monday, April 23, 1990
Monday, November 27, 1989	Monday, May 21, 1990
Monday, January 29, 1990	Monday, June 25, 1990
Monday, February 26, 1990	

**NO. 5. HONORARY DEGREES: RESOLVED,** That the following honorary degrees, approved by the appropriate faculty bodies and recommended by the Chancellor, be presented at the commencement exercises as specified:

RECIPIENT	DEGREE
BARUCH COLLEGE	
Maurice Austin	Doctor of Laws
Timothy Healy	Doctor of Humane Letters
Aaron Shapiro	Doctor of Humane Letters
THE GRADUATE SCHOOL AND UNIVERSITY CENTER	
Marshall Rose	Doctor of Humane Letters

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## JOHN JAY COLLEGE OF CRIMINAL JUSTICE

James Farmer	Doctor of Humane Letters
Lawrence Friedman	Doctor of Laws
Jerry B. Hook	Doctor of Science

## QUEENS COLLEGE

Lee Ehrman	Doctor of Science
Israel Mowshowitz	Doctor of Humane Letters
Walter Turnbull	Doctor of Humane Letters

## THE COLLEGE OF STATEN ISLAND

Jules Feiffer	Doctor of Fine Arts
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## THE CITY UNIVERSITY OF NEW YORK LAW SCHOOL AT QUEENS COLLEGE

Helen Rodriguez	Doctor of Laws
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Mr. Muhammad stated that at the last Board meeting a discussion was held with respect to ascertaining that people of color are included in designations of Distinguished Professors and award of honorary degrees. He asked whether the colleges are including people of color and mentioned the Graduate School and Baruch College. Pres. Segall stated that an honorary degree had been offered to a person of color who had refused it. If records of past years are checked, it will be found that it has been the practice to award honorary degrees to at least one member of the Black or Hispanic community. Mr. Muhammad asked that in future members of the African-American, Latino, and Asian-American communities be included. Affirmative action guidelines should be observed for award of honorary degrees and designation of Distinguished Professors. Vice-Chancellor Reid-Wallace has attempted to follow the charge of Chancellor Murphy, and he hoped there would be oversight of this so that the 60% of the college population of African-Americans, Latinos, and Asians would have role models to look up to as they proceed in their educational process.

In reply to a question from Dr. Jacobs as to whether the honorees are selected by the Presidents or by a committee, the Board was told that the selections are made by a committee.

**NO. 6. SALK SCHOLARSHIPS: RESOLVED,** That the Board approve the award of the Jonas E. Salk Scholarships to the following graduates who have been recommended by the Chancellor:

## WITH STIPEND

Emily Cohen Altman	Hunter College
Michele A. Campione	Queens College
Vilma Joseph	Queens College
Shaheed Kaloo	York College
Spyros Panos	City College
Xiomara Ramirez	City College
Iliana Ivette Robinson	Hunter College
Lai Ping So	City College

## HONORARY (In Order Selected)

Jennifer Liburd	Hunter College
Eugene Wong	City College
Elizabeth Tillinghast	Hunter College
John E. Mitchell	York College
George Tawadros	City College
John L. Bucek	Hunter College
Sheryl Kaplan	Brooklyn College
Patricia A. Williams	Queens College

In reply to a question from Dr. Canino, the Board was told that, as a result of fund raising, the stipend for the winners with stipend is now \$1,000 per year, an increase from \$875 in previous years.

**NO. 7. COMMITTEE ON FISCAL AFFAIRS, FACILITIES AND CONTRACT REVIEW: RESOLVED,** That the following items be approved:

**A. QUEENSBOROUGH COMMUNITY COLLEGE - LIBRARY BUILDING, RESEALING OF NORTH, SOUTH AND WEST WALLS:**

RESOLVED, That the Board of Trustees of The City University of New York approve contract documents and specifications and authorize Queensborough Community College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for the resealing of the Library Building - North, South and West Walls at an estimated cost of \$126,294.00 chargeable to HN-206 Capital Rehabilitation Projects.

EXPLANATION: Original caulking was installed in 1965. It has deteriorated to the point that the building is showing signs of water penetration through joints between precast panels, between precast panels and windows and between brick and windows. Evidence includes spalling of plaster, wet carpet and staining of precast due to rusting of anchors. This project will help to maintain the integrity of the Library and to prevent further deterioration of the building.

**B. NEW YORK CITY TECHNICAL COLLEGE - VARIOUS ELEVATOR REHABILITATION PROJECTS:**

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents as prepared by the firm of Walter P. Bishop, Consulting Engineer, P.C. and authorize the Office of Facilities Planning, Construction and Management to advertise, bid and award contracts to the lowest responsible bidders for furnishing all labor, material and equipment required for construction of various elevator rehabilitation projects at New York City Technical College, Phase I of combined Project No. CU007-087, at an estimated total cost of \$1,444,750 chargeable to the State Capital Construction Fund.

EXPLANATION: The project consists of two construction contracts at New York City Technical College. A second phase rehabilitation of additional elevators is planned once sufficient construction funds are available.

Phase I. Contract No. 1

1. Remove 2 obsolete manual freight elevators and replace with 2 automatic elevators at the "G" Building. (NY001-087) Cost = \$508,000
2. Modernize 4 of 7 elevators at Namm Hall (3 remaining to be modernized in a future contract as Phase II) and modernize 1 elevator at Pearl Street. (NY028-087) (Part) Cost = \$936,750

The estimate of \$1,444,750 includes construction contingencies and cost escalations to bid dates. The Office of Facilities Planning, Construction and Management has requested exemption from the state budget freeze on the award of capital projects on the basis of unsafe elevators. Complete and partial shut-downs will be remedied in Phase I as a priority.

On September 28, 1987, Cal. No. 4.B.9. the Board of Trustees adopted a resolution that approved the selection of Walter P. Bishop, Consulting Engineer, P.C.

**C. HUNTER COLLEGE - RCI LONG DISTANCE SERVICE:**

RESOLVED, That the Board of Trustees of The City University of New York authorize Hunter College to enter into an agreement, without public letting, with RCI Corporation, 500 South Salina Street, Suite 210, Syracuse, New York 13202, for long distance telephone service, at an estimated cost of \$110,000 chargeable to expense code 236601400-446052 or any other such funds subject to financial ability, fiscal year 1989-90.

EXPLANATION: RCI Corporation will provide Hunter College with high quality long distance calling service at reduced rates.

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The amount estimated for this service will increase from \$80,000 (FY88-89) to \$110,000 (FY 89-90) because long distance service for the School of Social Work at 129 East 79th Street will be incorporated into the service provided for the 68th Street Campus. Previously, long distance service was separately purchased for each site.

**D. KINGSBOROUGH COMMUNITY COLLEGE - SECURITY GUARD SERVICE:**

RESOLVED, That The Board of Trustees of The City University of New York authorize Kingsborough Community College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for security guard service at an estimated cost of \$950,000 chargeable to budget code 234801400 and/or such other funds as may be available for the period of July 1, 1989 through June 30, 1990.

EXPLANATION: Such service is needed to ensure the safety and the well-being of the students, faculty and staff, as well as for the protection of the college's property.

**E. LAGUARDIA COMMUNITY COLLEGE - CLEANING SERVICES:**

RESOLVED, That the Board of Trustees of The City University of New York approve the contract documents and specifications and authorize F.H. LaGuardia Community College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for Cleaning Services as required by the college for the period of July 1, 1989 through June 30, 1990 at an estimated amount of \$981,202 chargeable to budget code 217801401 or other such funds subject to financial ability. The contract will provide for 3 one year renewal options.

EXPLANATION: Cleaning services are required in order to provide for the safety and health of the faculty, staff and students at the college.

**F. MEDGAR EVERS COLLEGE - UNIFORMED GUARD SERVICE:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the Business Manager of Medgar Evers College to advertise for, receive and open bids and award a contract for Security Guard Services for the period of July 1, 1989 through June 30, 1990, at an estimated cost up to \$550,000 to be charged to code 234801400 and/or such other funds that may be available.

EXPLANATION: Medgar Evers College utilizes two owned facilities at 1150 Carroll Street, and a new facility at 1650 Bedford Avenue. Uniformed Guard Service is essential for the protection of personnel, facilities, equipment and supplies at each site.

Mrs. Everett stated that she had received a letter in the mail from the CUNY Women's Organization, expressing concern about safety on the campus and, although they are aware of the seriousness of the budget constrictions, they asked that all the Presidents be urged to keep very high on their list of priorities the subject of security on the campuses.

Dr. Bernstein stated that she had also received a letter from the CUNY Women's Coalition and had turned it over to Deputy Chancellor Mucciollo to discuss it with Prof. Melani and the Presidents, if that is necessary.

**G. NEW YORK CITY TECHNICAL COLLEGE - TEMPORARY SERVICE PERSONNEL:**

RESOLVED, That the Board of Trustees of The City University of New York on behalf of New York City Technical College authorize and approve the contract document and specifications to advertise, receive and open bids, and award a contract to the lowest responsible bidder for Temporary Service Personnel for fiscal year 1989/90 at an estimated amount not to exceed \$165,000 chargeable to code 230501430 or other such funds subject to financial ability. This contract shall include an option to renew for three additional years with a "Wage Escalation" clause.

EXPLANATION: Temporary Service Personnel, such as laborers, typists, clerical office workers, data entry personnel, are required for special projects, and for the distribution of student checks.

**H. NEW YORK CITY TECHNICAL COLLEGE - VORHEES ENDOWMENT FUND, EDUCATIONAL SUPPLIES, ETC.:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the expenditure of a sum not to exceed \$600,000 of income from the Voorhees Endowment Fund, for the purchase of educational supplies and expenses/equipment and Temporary Services in order to support the Technical and Industrial educational programs of the New York City Technical College during the fiscal year 1989/90.

EXPLANATION: The 1989/90 Budget will not provide the required level of funding to support the academic programs of this college due to the budgetary reduction resulting from the state shortfall in projected revenue. It is necessary to continue the use of the interest earned from the Voorhees Endowment Fund for this purpose. Under the terms of the court order which transferred the assets of the Voorhees Technical Institute to the Board of Higher Education: "income from the Endowment fund... shall be used by the Board of Higher Education to support the Technical and Industrial educational programs in such areas as Library Resources, Educational Equipment, Supplies and Materials, Student Financial Aid, Facilities Renovation, and other such items that will improve the Technical and Educational programs."

Mrs. Everett indicated that the Voorhees Endowment Fund is invested in securities and stated that the University should not be investing in companies that work against the health and welfare of the population, such as Phillip Morris and other cigarette companies. The University should not be investing in companies that are responsible for the deaths of over 400,000 people in this country alone and are trying to push it on Third World countries. She felt this ought to be considered very carefully.

**NO. 8. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION:** RESOLVED, That the following items be approved and report noted:

**A. QUEENS COLLEGE - NAMING OF CLOCK TOWER OF THE BENJAMIN S. ROSENTHAL LIBRARY:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Clock Tower of the Benjamin S. Rosenthal Library at Queens College as the Chaney Goodman Schwerner Clock Tower.

EXPLANATION: Andrew Goodman, a student at Queens College, and his civil rights co-workers, James Chaney and Michael Schwerner, gave their lives in 1964 in the civil rights struggle. The President of the College, upon the advice of the College's Academic Senate, recommends the naming of the Clock Tower as a statement of the recognition of the Queens College Community, and especially of a new generation of Queens College students, of the sacrifice of these three young civil rights workers.

**B. QUEENS COLLEGE - NAMING OF GARDEN ON GROUNDS OF THE COLLEGE:**

RESOLVED, That the Board of Trustees of The City University of New York approve the establishment and naming of a garden on the Queens College grounds as the Betsy B. Kaufman Garden.

EXPLANATION: The late Dr. Betsy B. Kaufman served as Dean of Students at Queens College from 1981 until her death in 1986, and as professor in the School of Education since 1973. Dean Kaufman enriched the lives of those who knew her and was totally dedicated to the students. The cost of establishing this garden was provided primarily from contributions from her colleagues. The naming is recommended by the College President, upon the advice of the College's Academic Senate.

**C. BROOKLYN COLLEGE - NAMING OF HUMANITIES INSTITUTE:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Brooklyn College Humanities Institute as The Ethyle R. Wolfe Institute for the Humanities.

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**EXPLANATION:** Dr. Ethyle R. Wolfe is retiring after more than forty years of outstanding service to Brooklyn College as a faculty member, dean, and provost. One of the most notable and enduring of her accomplishments has been as the founder and creative spirit of the Brooklyn College Humanities Institute. The establishment of the Institute was approved by the Board of Higher Education in 1976, and it has functioned in recent years primarily as a sponsor of scholarly, instructional support, and faculty development activities and functions, rather than as a research institute. Brooklyn College seeks to recognize this contribution to the intellectual vitality of the College by naming the Institute in Dr. Ethyle R. Wolfe's honor.

### D. UNIVERSITY DRUG-FREE WORKPLACE POLICY:

RESOLVED, That the Rules and Regulations for the Maintenance of Public Order adopted by the Board of Higher Education on June 23, 1969, and amended by the Board of Trustees of The City University of New York on October 27, 1980, be amended to read as follows:

#### RULES AND REGULATIONS FOR THE MAINTENANCE OF PUBLIC ORDER PURSUANT TO ARTICLE 129-A OF THE EDUCATION LAW

The tradition of the University as a sanctuary of academic freedom and center of informed discussion is an honored one, to be guarded vigilantly. The basic significance of that sanctuary lies in the protection of intellectual freedom: the rights of professors to teach, of scholars to engage in the advancement of knowledge, of students to learn and to express their views, free from external pressures or interference. These freedoms can flourish only in an atmosphere of mutual respect, civility, and trust among teachers and students, only when members of the University community are willing to accept self-restraint and reciprocity as the condition upon which they share in its intellectual autonomy.

Academic freedom and the sanctuary of the University campus extend to all who share these aims and responsibilities. They cannot be invoked by those who would subordinate intellectual freedom to political ends, or who violate the norms of conduct established to protect that freedom. Against such offenders the University has the right, and indeed the obligation, to defend itself. We accordingly announce the following rules and regulations to be in effect at each of our colleges which are to be administered in accordance with the requirements of due process as provided in the Bylaws of the Board of Higher Education.

With respect to enforcement of these rules and regulations we note that the Bylaws of the Board of Higher Education provide that:

"THE PRESIDENT. The president, with respect to his education unit, shall:

"a. Have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his jurisdiction;

"b. Be the advisor and executive agent of the Board of his respective College Committee and as such shall have the immediate supervision with full discretionary power in carrying into effect the Bylaws, resolutions, and policies of the Board, the lawful resolutions of the several faculties;

"c. Exercise general superintendence over the concerns, offices, employees, and students of his educational unit."

### 1. RULES

1. A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he interfere with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.

2. Individuals are liable for failure to comply with lawful directions issued by representatives of the University/college when they are acting in their official capacities. Members of the academic community are required to show their identifications cards when requested to do so by an official of the college.

3. Unauthorized occupancy of University/college facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/college equipment and/or supplies.

4. Theft from, or damage to University/college premises or property, or theft of or damage to property of any person on University/college premises is prohibited.

5. Each member of the academic community or an invited guest has the right to advocate his position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.

6. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/college, or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of the rights or interferes with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.

7. Disorderly or indecent conduct on University/college-owned or controlled property is prohibited.

8. No individual shall have in his possession a rifle, shotgun, or firearm or knowingly have in his possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution. Nor shall any individual have in his possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.

9. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.

10. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University employees in the workplace is prohibited. Employees of the University must also notify the College Personnel Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.

## 2. PENALTIES

1. Any student engaging in any manner in conduct prohibited under substantive Rules 1-9 shall be subject to the following range of sanctions as hereafter defined in the attached Appendix: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsions, ejection, and/or arrest by the civil authorities.

2. Any tenured or non-tenured faculty member, or tenured or non-tenured member of the administrative or custodial staff engaging in any manner in conduct prohibited under substantive Rules 1-[8] 10 shall be subject to the following range of penalties: warning, censure, restitution, fine not exceeding those permitted by law or by the Bylaws of the Board of Higher Education, or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and, for engaging in any manner in conduct prohibited under substantive rule 10, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program. In addition, in the case of a tenured faculty member, or tenured member of the administrative or custodial staff engaging in any manner in conduct prohibited under substantive Rules 1-[9] 10, he or she shall be entitled to be treated in accordance with applicable provisions of the Education Law or Civil Service Law.

3. Any visitor, licensee, or invitee, engaging in any manner in conduct prohibited under substantive Rules 1-9 shall be subject to ejection, and/or arrest by the civil authorities.

4. Any organization which authorized the conduct prohibited under substantive rules 1-[9] 10 shall have its permission to operate on campus rescinded.

Penalties 1-4 shall be in addition to any other penalty provided by law or The City University Trustees.

#### APPENDIX

#### SANCTIONS DEFINED:

##### A. Admonition.

An oral statement to the offender that he has violated University rules.

##### B. Warning

Notice to the offender, orally or in writing, that continuation or repetition of the wrongful conduct, within a period of time stated in the warning, may cause far more severe disciplinary action.

##### C. Censure.

Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any University regulation within a period stated in the letter of reprimand.

##### D. Disciplinary Probation.

Exclusion from participation in privileges or extracurricular University activities as set forth in the notice of disciplinary probation for a specified period of time.

##### E. Restitution.

Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

##### F. Suspension.

Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.

##### G. Expulsion.

Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order of expulsion.

##### H. Complaint to Civil Authorities.

##### I. Ejection.

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

**EXPLANATION:** The Federal Drug-Free Workplace Act of 1988 and its implementing regulations require that a recipient of a Federal grant approved and awarded after March 18, 1989, "certify to the contracting agency that it will provide a drug-free workplace" by complying with certain statutory requirements. The requirements are the publication and circulation to employees of a drug abuse policy that prohibits the unlawful manufacture, distribution, possession, and use of unlawful drugs in the workplace; specifies the penalties for violation of the policy; conditions employment upon employee willingness to abide by the policy; and requires employees to notify the employer of drug-related criminal convictions for unlawful conduct which occur in the workplace. The Council of Presidents and employee collective bargaining representatives have been consulted regarding these amendments, which will bring the University into compliance with the Drug-Free Workplace Act of 1988. Although these amendments apply only to employees of the University, Section 15.1 of the University Bylaws provides that students of the University "... shall obey the laws of the City, State, and Nation..." Students are thus already prohibited from engaging in conduct of the nature that is prohibited by proposed substantive rule 10.

Adoption of these amendments will also complement the University's commitment, as reflected in the University Policy On Drug and Alcohol Abuse, adopted by the Board of Trustees on March 30, 1987, to the development and conduct of educational and support programs directed toward the use and abuse of drugs and alcohol, both legal and illegal.

Dr. Jacobs pointed out that during its discussion, the Committee reemphasized the desire that an Employee Assistance Program be established at each campus and that alternate sources of funding including collective bargaining welfare funds be explored as sources of initial financing. The Committee asked Vice-Chancellor Bloom to pursue the matter aggressively.

In reply to a question from Mr. Muhammad, Vice-Chancellor Bloom stated that the resolution contains the entire Rules and Regulations for the Maintenance of Public Order with the new material underlined.

Dr. Canino asked that Vice-Chancellor Bloom clarify that the inclusion of the Henderson Rules at this point in time is not related in any way to the recent student demonstrations, and Vice-Chancellor Bloom replied that that is correct and that the material went out to the Committee about two days before the recent demonstrations occurred.

#### **E. THE CITY UNIVERSITY OF NEW YORK CIVIL SERVICE COMMISSION - NAMING OF COMMISSIONERS:**

RESOLVED, That the Board of Trustees of The City University of New York hereby authorizes and consents to the naming by the Chancellor of The City University of New York of Mr. George Maginley, Ms. Iris Morales, and Mr. Harry Karetzky as Commissioners of The City University of New York Civil Service Commission, one of whom shall be designated by the Chancellor to serve as Chair, for terms ending on May 31, 1994, May 31, 1992, and May 31, 1990, respectively; and be it further

RESOLVED, That the three Commissioners shall first meet no later than sixty days following the adoption of this resolution in order to adopt Rules and undertake the oversight of The City University of New York Civil Service in accordance with the Resolution of the Board of Trustees of June 27, 1988 (Cal. No. 6.H.).

**EXPLANATION:** The June 27, 1988 resolution of the Board of Trustees provided for the naming of the three civil service commissioners by the Chancellor with the advice and consent of the Board of Trustees. This resolution will enable The City University of New York to operate under the Rules and Regulations of its own Civil Service Commission, as provided for by the New York State Education Law and as governed by the New York State Civil Service Law. The Commissioners will be empowered to operate as a municipal civil service commission under the New York State Civil Service Law, thereby providing full status to a role that the Board Committee on Faculty, Staff, and Administration has assumed on an ad hoc basis since 1979.

Mr. Maginley was introduced.

Mr. Muhammad complimented the Chancellor for the rainbow coalition of Commissioners he had recommended, which showed that he was possibly moving toward Affirmative Action guidelines and also implementing the needs of the population constituency he represents.

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**F. REPORT:** Dr. Jacobs reported that in response to a question raised by Mr. Muhammad at the last Board meeting and a subsequent request by the Board Chairperson, the Committee received a comprehensive report regarding the administration of the University's freeze of personnel actions, including a review of the criteria applied in the consideration of applications for exceptions to the personnel freeze. The reasons for exceptions include, for example, positions crucial to the academic program and positions essential for reasons of health and safety on the campuses. The Committee discussed the bases for exceptions. The approved exceptions are reflected in the University and Chancellor's Reports.

**NO. 8X. SEARCH COMMITTEE FOR CHANCELLOR OF NEW YORK CITY SCHOOL SYSTEM:** The Chairperson reported that former Chancellor Albert Bowker is again chair of the Search Committee for a Chancellor for the Board of Education, and Pres. Augusta S. Kappner is again a member of the Committee. He wished them well in this important activity.

**NO. 9. COMMITTEE ON PUBLIC AFFAIRS: RESOLVED,** That the following report be noted:

**A. REPORT:** Mrs. Bloom presented the following report:

(1) There will be a Breakfast Reception for the City Council on May 23 at Harry's Restaurant in the Woolworth Building at 8:30 A.M. A large turnout of City Council members is expected.

(2) On Thursday, June 8, at 6:30 P.M., the University and Aspira will be cosponsoring an award presentation to three prominent and dedicated leaders, Assemblyman Jose Serrano, Deputy Chancellor Dolores Fernandez, Mr. Louis Diaz.

(3) The award ceremonies for the presentation of the Jonas E. Salk Scholarships will be held on Tuesday, June 13 at Hunter College at 9:30 A.M.

**Mrs. Bloom urged attendance at all these events.**

Upon motions duly made, seconded and carried, the meeting was adjourned at 6:03 P.M.

SECRETARY MARTIN J. WARMBRAND