

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

**HELD**

**AUGUST 25, 1997**

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

The Chairperson called the meeting to order at 4:07 P.M.

There were present:

**Anne A. Paolucci, Chairwoman  
Herman Badillo, Vice Chairperson**

**Satish K. Babbar  
John J. Calandra  
Kenneth E. Cook  
Michael C. Crimmins  
Alfred B. Curtis Jr.  
Edith B. Everett**

**Ronald J. Marino  
Susan Moore Mouner  
James P. Murphy  
George Rios  
Nilda Soto Ruiz  
Richard B. Stone**

**Sandi E. Cooper, ex officio**

**Ifeachor Potts, ex officio**

**Secretary Genevieve Mullin  
Robert E. Diaz, General Counsel and Vice Chancellor for Legal Affairs  
Hourig Messerlian, Executive Assistant**

**Deputy Chancellor Laurence F. Mucciolo  
President David A. Caputo  
Acting President Emilie Cozzi  
President Ricardo R. Fernandez  
President Matthew Goldstein  
President Leon M. Goldstein  
President Frances Degen Horowitz  
President Edison O. Jackson  
President Charles C. Kidd, Sr.  
President Vernon Lattin  
President Gerald W. Lynch  
President Yolanda T. Moses**

**President Antonio Perez  
President Isaura S. Santiago  
President Kurt R. Schmeller  
President Marlene Springer  
President Carolyn G. Williams  
Dean Stanford R. Roman, Jr.  
Dean Kristin Booth Glen  
Vice Chancellor Jay Hershenson  
Vice Chancellor Emma E. Macari  
Vice Chancellor Brenda Richardson Malone  
Vice Chancellor Louise Mirrer  
Vice Chancellor Richard F. Rothbard**

**A. NEW TRUSTEE:** Chairwoman Paolucci announced that John Morning has been appointed by Governor Pataki to replace Robert Price, who has resigned. Mr. Morning could not be with us today because of a long-standing commitment to be in South Africa at this time.

Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 through 3)

The Board considered calendar items in the following order.

**NO. 1. RESOLUTION OF APPRECIATION - ROBERT PRICE:**

WHEREAS, The Honorable Robert Price has resigned from the Board of Trustees on which he served with distinction, and

WHEREAS, Mr. Price had the ability to quickly analyze situations and suggest solutions that would improve the functioning of the University; and

WHEREAS, During his short tenure his wisdom and insight has contributed greatly to the deliberations of the Board; now therefore be it

RESOLVED, That the members of the Board of Trustees express their regret at losing a valuable colleague and extend their most sincere thanks and deepest appreciation to Mr. Price for his dedicated service as a Trustee to The City University of New York; and be it further

RESOLVED, That they extend their best wishes for his continued success in all his future endeavors.

**NO. 3. CHANCELLOR W. ANN REYNOLDS – RETIREMENT:** RESOLVED, That the Board of Trustees accept the following memorandum from Chancellor Reynolds:

**TO:** Board of Trustees

**FROM:** W. Ann Reynolds

**DATE:** July 17, 1997

I wish to inform you that I intend to retire from the position of Chancellor of The City University of New York, effective September 15, 1997. It is my intention to accept the offer by the University of Alabama Board of Trustees to become President of the University of Alabama at Birmingham.

It has been a magnificent experience to serve this superb university. CUNY's students, faculty, and staff are without parallel. I wish to thank both former and current members of the Board of Trustees for their wisdom, guidance and support. I will be expressing my personal gratitude to each of you in the weeks ahead.

**NO. 2. RESOLUTION OF APPRECIATION - CHANCELLOR W. ANN REYNOLDS:**

WHEREAS, During the past seven years, Chancellor W. Ann Reynolds served as the chief educational and administrative officer of The City University of New York; and

WHEREAS, Chancellor Reynolds maintained and expanded the University's commitment to academic excellence and the provision of equal access and opportunity; and

WHEREAS, Chancellor Reynolds initiated numerous University programs, policies, and facilities to promote the educational interests and welfare of the students; and

WHEREAS, Chancellor Reynolds continued systematic collaboration with the New York City public schools system; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York express its deepest gratitude and appreciation to Chancellor W. Ann Reynolds for her service to the University, its constituent colleges, and the people of New York; and be it further

RESOLVED, That the Board of Trustees wishes her continued success in her new position as President of the University of Alabama at Birmingham and in all of her future endeavors.

**B. DESIGNATION OF A BOARD PARLIAMENTARIAN:** Chairwoman Paolucci announced that Trustee Alfred B. Curtis has agreed to serve as the Board's Parliamentarian.

At this point Trustee Everett joined the meeting.

**C. ORAL REPORT OF THE DEPUTY CHANCELLOR:** Deputy Chancellor Mucciolo reported the following:

1. He introduced and welcomed Dr. Louise Mirrer, who has been appointed Vice Chancellor for Academic Affairs.
2. With respect to enrollment, preliminary data for the Fall shows that freshmen admissions to the University are stable. They are strong at the senior colleges but down somewhat at the community colleges. This is expected to change in a positive way as the colleges conclude registration and continue to admit students directly as they usually do at this time of the year. We will report to you in September regarding overall enrollment levels at the University.
3. The adopted State budget restores cutbacks proposed in the executive budget. Additional State aid has been provided for both the senior and community colleges, including much needed funding dedicated for new faculty positions. The proposed reductions in the Tuition Assistance Program (TAP) were restored. However, there will continue to be interest in raising academic standards for program eligibility in the months ahead. Additional funding will also be available through several appropriations outside of the University's budget, including funds that are provided to the State Education Department for opportunity programs and teacher training. There are also funds that have been appropriated through the New York State Department of Labor for employment training and for language immersion programs for welfare recipients.
4. There were no capital funds added to the Governor's original proposals, which were very positive for the University. However, there is a Statewide lump sum in excess of \$400 million, which is to be allocated by the Governor and legislative leaders, and that may provide some additional support for CUNY projects. Vice Chancellor Macari will be briefing the Committee on Fiscal Affairs about the capital budget in detail at its September meeting. Vice Chancellor Rothbard will now report on the 1997-98 State and City adopted operating budgets.

Vice Chancellor Rothbard reported that with respect to the senior colleges, the total appropriation level of \$924 million is the same as the 1996-97 adopted level. The Governor's proposed tuition increase of \$400 has been eliminated from the adopted budget. The \$33.0 million senior college base budget reduction recommended in the Executive Budget has been restored. State aid of \$508.5 million includes an increase of \$69 million (15.7%) over the Executive Budget recommendation and \$12 million (2.4%) over the 1996-97 adopted level. Tuition revenue is decreased by \$12 million (3%) from the 1996-97 level of \$395.2 million to \$383.2 million in recognition of the fact that our previous revenue level was too high for the senior colleges. There is also funding of \$4.25 million for new faculty positions for the continuation of academic program planning, base level equity initiatives, and teacher preparation programs. \$500,000 is provided for a new summer language immersion program in collaboration with middle and high schools. Statewide funding for centers for advanced technology (CATs) is fully restored to \$13 million. Tuition as a percentage of the funding of the budget has decreased slightly.

On the community college side, the operating budget of \$332.1 million represents a \$2.5 million (0.8%) increase over the 1996-97 level. State support per FTE is increased by \$50 to \$1,900, increasing State aid by \$2.8 million. City support of \$77 million reflects an increase of \$1 million over the 1996-97 City executive budget level. \$1 million of the increase is provided for language immersion and \$0.5 million for library book acquisitions. Revenue from tuition is reduced by \$1.3 million from the 1996-97 adopted level to reflect enrollment decline. State funding for child care and college discovery remains at the 1996-97 level of \$1.4 million. Local maintenance of effort, which is maintained by State law, is extended through 1997-98 at the previous year's level.

With respect to financial aid, TAP is fully restored to \$607.5 million. Aid to the part-time study (APTS) program is funded at \$14.6 million, the same level as 1996-97. There has been an increase of \$3.3 million (8%) from the 1996-97 level to \$44.2 for aid to private schools (Bundy aid). The new college choice tuition savings program provides families and individuals with a savings plan to meet higher education expenses. Family tuition accounts will be established for a single beneficiary who can use the funds for either private or public institutions of higher education. As soon as we have more details on exactly how this can be enacted, we will share them with you.

Some of the other programs that the University will be eligible to participate in through the State Education Department include Statewide funding of \$4 million for the State's pre- and post-freshman summer opportunity programs. The STEP/CSTEP program is fully restored at \$7.5 million. The new teacher training initiative that starts off at \$1.5 million in 1997-98 is expected to increase to \$10 million by 2002.

**D. APPOINTMENT OF A COMMITTEE TO RECOMMEND AN INTERIM CHANCELLOR:** Chairwoman Paolucci announced that for the first time in the history of the University there will be a Committee to Recommend an Interim Chancellor. She has asked Trustees Ronald Marino, as Chair, Kenneth Cook, James Murphy, George Rios, and Nilda Soto Ruiz to serve on the Committee. The Committee has a mandate to review vitas submitted and to make a recommendation at the September 29th meeting. If anyone wishes to submit additional names please send everything to Secretary Genevieve Mullin.

Trustee Everett stated that there should be faculty and student representation on the Interim Chancellor Committee.

Trustee Potts stated that the students of the University would like to know why there is no student representation or student voice in the appointment of an interim Chancellor. Since the students are the biggest consumers in the University I think that should be considered.

At this point Trustee Murphy joined the meeting.

**E. COMMITTEE ON FISCAL AFFAIRS, FACILITIES, AND CONTRACT REVIEW:** Committee Chair Marino reported that in preparation for discussions on the 1998-99 budget request Vice Chancellor Rothbard convened meetings of the senior and community college presidents and the two deans on August 21st. We are trying to get a good discussion going as fiscal priorities relate to programmatic priorities and because it is almost impossible to really divide dollars from programs. This year as we try to rebalance the equilibrium between the campuses, 80th Street, and the Board of Trustees we are looking to get the insights of these first-rate educators who run these institutions. We got some first-rate recommendations on priorities as they see it from their vantage point on the campuses. I believe they will now be meeting with the leadership of their respective faculties and students and will come back to the Board in September with some priorities for the Board to consider as we enter into the budgetary process. During September and October the crux of the work of the Fiscal Affairs Committee and the Board will be to both implement some of the new monies and new program initiatives that we did receive from the City and State and to begin the long process of formulating budgetary priorities for the 1998-99 fiscal year for both the State and City. My only caution to the Board and the presidents is I believe personally that we have hit the high water mark in terms of revenues. The increase in current revenues is really being produced out of the financial industry in the City and State. For us to base a budgetary request upon the current level of activity on Wall Street is I think risky. As we move forward I think we need to be judicious in what we request. As we request, hopefully, some new monies from the State and City, we make some very serious budgetary and financial reductions within the University to prove that we are serious in our fiduciary responsibility and in trying to get more dollars out of the overhead of the administration and into teaching on all of the twenty campuses and two graduate schools.

Trustee Crimmins introduced a motion to increase by two the membership of the Committee to Recommend an Interim Chancellor with the addition of a student and faculty representative.

Chairwoman Paolucci noted that rather than recommending an individual to the Board, as had been the practice in the past, she is doing something in the democratic way by establishing a committee to review vitas and make a recommendation. The history of appointments of acting chancellors is as follows:

June 8, 1960 – John R. Everett appointed by the Board of Higher Education as Chancellor of the Municipal College System of New York City, effective September 1, 1960.

May 21, 1962 – Resignation of Chancellor John Everett effective August 31, 1962.

No acting chancellor was appointed for the period between the resignation of John Everett and the appointment of Albert Bowker.

July 25, 1963 – Albert H. Bowker appointed Chancellor by the Board of Higher Education, effective October 1, 1963.  
June 30, 1971 - Albert H. Bowker asked to be relieved of his duties and responsibilities as Chancellor as of August 15, 1971, and offered his resignation effective September 30, 1971.

July 27, 1971 - Robert J. Kibbee appointed Chancellor by the Board of Higher Education, effective October 1, 1971.

August 17, 1971 - Seymour C. Hyman was recommended by the Chairman of the Board of Higher Education and appointed Acting Chancellor effective August 16, 1971 until such time as Chancellor-elect Kibbee takes office.

April 27, 1981 - Robert J. Kibbee announced his intention to resign in June, 1982.

June 16, 1982 - Robert J. Kibbee expired.

June 22, 1982 - Joseph S. Murphy appointed Chancellor by the Board of Trustees effective September 15, 1982.

June 22, 1982 - Leon M. Goldstein recommended by the Chairman and designated Acting Chancellor by the Board of Trustees effective June 22, 1982 until such time as Chancellor-designate Murphy takes office.

November 27, 1989 - Joseph S. Murphy announced his resignation effective September 17, 1990.

June 1, 1990 - W. Ann Reynolds appointed Chancellor by the Board of Trustees effective September 17, 1990.

There was no need to appoint an acting chancellor because Joseph Murphy remained in office until W. Ann Reynolds assumed the position.

**Vice Chairman Badillo** stated that what is going on here is that the committee is going to recommend names which will be voted upon by the Board, as opposed to having the Chairwoman designate a name all by herself.

**Trustee Murphy** stated that in the past this has been the prerogative solely of the Chair. To extend this prerogative to five trustees is, I think, a sensible and generous opening up of the process. I for one fully intend to consult with the Chairs of the Faculty Senate and the Student Senate and get their views on who the interim Chancellor might be. I really think that there are certain prerogatives that the Chair has relating to the appointing of committees. If we have to have every committee that the Chair appoints reviewed by this Board, then I think we run the risk of crippling our operation. So my vote here is a procedural one and I reserve the right with respect to nominees and how I will source out nominees to be totally inclusive. **Trustee Murphy voted in opposition of the motion.**

**Chairwoman Paolucci, Vice Chairman Badillo, and Trustees Babbar, Calandra, Cook, Curtis, Marino, Rios, and Ruiz** voted to oppose.

**Trustee Stone** stated that he, too, is very pleased that the Chair has appointed a committee to democratize this process, regardless of the history. That's clearly, to me, the proper way to proceed in this situation. I also agree with what I perceive to be the Chair's and other people's instinct that, in fact, an interim chancellor ought to be chosen. It's enough of a step to make it a committee of Trustees, and I actually don't see the reason for the students and faculty to be formally represented on that committee. I'm sure they will be to some extent consulted, as Trustee Murphy says. However, given the level of sentiment that has somewhat unexpectedly come up at this meeting for it, it seems to me not such an expensive gesture to make. Not to make it, seems to me to generate more bad will than the whole issue is worth. And so, as a matter of wisdom, I would counsel the Chair to do it. And I don't know whether it's then appropriate to vote against the Chair, but that's the only way I know how to express that sentiment. **Trustee Stone voted in favor of the motion.**

**Trustees Crimmins, Everett, Mouner, and Potts** voted in favor of the motion.

The motion to increase the membership of the committee from five to seven was defeated by a vote of five in favor and ten opposed.

**F. AD HOC COMMITTEE PRESIDENTIAL SEARCH GUIDELINES:** Committee Chair Babbar reported that on June 23, 1997 Trustee Murphy, former Trustee Price, and I had an informal discussion regarding the existing guidelines and what we thought needed to be changed. At that time we came up with some recommendations, but we would not formally discuss those changes until there was faculty and student representation. When the committee met on August 18th, basically we shared the same thoughts that were expressed at the informal discussion. What we are looking to do in this committee is to come up with a proposal which will give the Board its authority to be able to conduct presidential searches with the coordination and cooperation of the campuses, particularly with the faculty and students. The committee had an open discussion and informally came to some kind of an understanding. The committee is hoping, since the suggested changes were discussed at some length, to come up with a conclusion at its next meeting. If it should be necessary, there will be another meeting scheduled so that the guidelines will be ready for presentation at the September 29th meeting of the Board.

**G. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH:** Committee Chair Ruiz stated that she is pleased to report that two groups of college presidents have met in response to a memo that she had written. President Kurt Schmeller of Queensborough Community College took the leadership in convening the community college presidents and English faculty. President Marlene Springer of The College of Staten Island took the same initiative with regard to the senior college presidents. The issue was to discuss the CUNY WAT, the inconsistencies in application, and to come up with some recommendations to be considered by the Committee on Academic Policy, Program, and Research in order to formalize both our resolution, to look at piloting other assessment instruments, and then to plan for the future as we look at the whole issue of testing within the University. I am pleased to report that there was a great deal of involvement and discussion, and the feedback that I got was that the meetings were productive and were really on target as to their recommendations. I want to thank Vice Chancellor Mirrer who stepped right in, worked with the college presidents, and summarized the recommendations. We will be meeting and looking at the resolutions possibly for consideration at the next Committee on Academic Policy, Programs, and Research meeting, and then we will bring it to the full Board for a vote.

Chairwoman Paolucci expressed thanks to the presidents and everyone who very actively participated in this very successful enterprise.

**H. COMMITTEE ON INTERNAL AUDIT:** Committee Chair Rios reported that since we last met an RFP was prepared and issued, a bidder's conference was held, and interviews were conducted with the five firms that had submitted proposals. Per a grid and criteria the firms were ranked and rated, and the firm of Deloitte and Touche was selected. The contract is in Albany about to be registered by the State Comptroller. Once that's done, we will have, in effect, an executed contract. Yet to be decided are the projects that might be undertaken, so out of a discrete set of a possible 15 items, once a decision has been made, they would be budgeted and we would try hard to remain within the range of anywhere between \$200,000 and the ceiling of \$300,000 that has been established. For anything above that I would consult with the Chair, seek advice from those who have been through the process before, and the Committee members to see what we do.

Chairwoman Paolucci, on behalf of the Board, welcomed Dr. Louise Mirrer, the new Vice Chancellor for Academic Affairs.

Chairwoman Paolucci introduced and welcomed Judith Watson who has been engaged to serve as a researcher for the Board of Trustees. Ms. Watson has served as executive director for the Task Force on Variable Tuition Policy for SUNY, and the Educational Excellence Project for Lt. Governor Betsy McCaughey Ross. She has researched and written in-depth reports for the Public Policy Institute of New York on a range of policy issues, including telecommunications, worker's compensation, product liability, job training, Clean Air Act, education, health care, welfare reform, and economic development. From 1975 to 1989 Ms. Watson served as New York Bureau Chief, New York State Editor in Albany, and New York State Capitol Bureau Chief for UPI.

**Upon motions duly made, seconded and carried, the Meeting was adjourned at 4:55 PM.**

**SECRETARY GENEVIEVE MULLIN**

**(This is a detailed summary of the Board of Trustees' meeting. The tapes of the meeting are available in the Office of the Secretary of the Board for a period of three years.)**