

**BOARD OF TRUSTEES
THE CITY UNIVERSITY OF NEW YORK
205 East 42nd Street, 7th Floor, New York, NY 10017**

SUMMARY OF ACTIONS TAKEN AT THE FEBRUARY 21, 2017 BOARD MEETING

DISPOSITION

The meeting was called to order at 4:32 P.M. Trustees Wellington Z. Chen, Mayra Linares-Garcia and Robert F. Mujica, Jr. were excused. Items were considered in the following order:

- No. 1 CHANCELLOR'S UNIVERSITY REPORT – February 21, 2017 – including Addendum and Errata sections. Moved by Chairperson William C. Thompson, Jr. and seconded by Trustee Charles A. Shorter. The resolution was unanimously approved.
- No. 2 **APPROVAL OF THE MINUTES:**
The minutes of the regular Board meeting of January 30, 2017. Moved by Chairperson William C. Thompson, Jr. and seconded by Trustee Lorraine A. Cortés-Vázquez. The resolution was unanimously approved.
- No. 3 **COMMITTEE ON FISCAL AFFAIRS:**
- A. JOHN JAY COLLEGE – PROCUREMENT FOR NYC JUSTICE CORPS PROGRAM: Moved by Vice Chairperson Barry F. Schwartz and seconded by Trustee Una S. T-Clarke. The resolution was unanimously approved.
 - B. THE CITY UNIVERSITY OF NEW YORK – REVISED PROCUREMENT POLICY AND PROCEDURES: Moved by Vice Chairperson Barry F. Schwartz and seconded by Trustee Una S. T-Clarke. The resolution was approved. Trustee Chika Onyejiukwa voted no.
 - C. THE CITY UNIVERSITY OF NEW YORK – EXECUTIVE SEARCH AND RECRUITMENT SERVICES: Moved by Vice Chairperson Barry F. Schwartz and seconded by Trustee Fernando Ferrer. The resolution was approved. Trustees Charles A. Shorter and Lorraine A. Cortés-Vázquez abstained.
- No. 4 **COMMITTEE ON ACADEMIC POLICY, PROGRAMS AND RESEARCH:**
- A. JOHN JAY COLLEGE – B.S. IN APPLIED MATHEMATICS: DATA SCIENCE AND CRYPTOGRAPHY:
 - B. NEW YORK CITY COLLEGE OF TECHNOLOGY – B.S. IN APPLIED COMPUTATIONAL PHYSICS:
 - C. YORK COLLEGE – M.S.W. IN SOCIAL WORK:
 - D. HONORARY DEGREES:
 - Lehman College: Eddie Palmieri, Betty A. Rosa, and Jeffrey Gilbert
 - Queens College: Donald Brownstein and Saul Kupferberg
 - Baruch College: Neil deGrasse Tyson and Allen E. Goodman
 - E. CUNY SCHOOL OF MEDICINE, THE CITY COLLEGE OF NEW YORK – ESTABLISHMENT OF A DEPARTMENT OF MOLECULAR, CELLULAR & BIOMEDICAL SCIENCES, AND CLOSURE OF THE DEPARTMENT OF PATHOBIOLOGY AND THE DEPARTMENT OF PHYSIOLOGY, PHARMACOLOGY AND NEUROSCIENCE:
Moved by Trustee Jill O'Donnell-Tormey and seconded by Trustee Fernando Ferrer. Resolutions 4.A. through 4.E. were unanimously approved.

Cal. No

DISPOSITION

No. 5 **COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:**

- A. THE CITY UNIVERSITY OF NEW YORK – ALLOCATION OF \$20 MILLION IN CAPITAL FUNDS TO PROJECTS:
- B. BROOKLYN COLLEGE – AMENDMENT TO THE ARCHITECTURAL SERVICES CONTRACT FOR THE PERFORMING ARTS CENTER:
- C. BROOKLYN COLLEGE – AMENDMENT TO THE C/M BUILD CONTRACT FOR THE PERFORMING ARTS CENTER:
- D. NEW YORK CITY COLLEGE OF TECHNOLOGY – AMENDMENT TO THE ARCHITECTURAL SERVICES CONTRACT FOR THE NEW ACADEMIC BUILDING:
Moved by Trustee Brian D. Obergfell and seconded by Trustee Fernando Ferrer. Resolutions 5.A. through 5.D. were approved. Trustee Lorraine A. Cortés-Vázquez abstained.

Chairperson William C. Thompson, Jr. moved to go into Executive Session at 5:20 P.M. The motion was seconded by Vice Chairperson Barry F. Schwartz.

CONVENING OF EXECUTIVE SESSION:

Chairperson William C. Thompson, Jr. called for an Executive Session pursuant to Section 105, Article 7, of the Public Officers Law, to discuss information relating to current and future investigations. The Board met in Executive Session from 5:22 p.m. to 6:15 p.m.

Moved by Chairperson William C. Thompson, Jr. and seconded by Trustee Brian D. Obergfell the public session was reconvened at 6:16 P.M.

Moved by Chairperson William C. Thompson, Jr. and seconded by Trustee Una S. T-Clarke, the following resolution was unanimously approved:

No. 6 **THE CITY UNIVERSITY OF NEW YORK - REIMBURSEMENT FOR EXPENDITURES FOR COUNSEL:**

RESOLVED, That the Board of Trustees of The City University of New York hereby authorizes reimbursement to the campus presidents and deans of each college as applicable (“presidents”). The presidents are valued key employees, whom CUNY expends great effort to recruit and retain.

EXPLANATION: Pursuant to an ongoing investigation, the Inspector General of the State of New York (“IG”) is requiring the campus presidents to submit to a recorded interview under oath, and has advised that the presidents may bring personal counsel if they wish. This interview is pursuant to the IG’s statutory authority to “require any officer or employee in a covered agency to answer questions concerning any matter related to the performance of his or her official duties.” Refusal to answer questions in an IG interview under oath subjects an employee to removal from employment.

In the ordinary course of business, when CUNY employees are sued for conduct occurring in the course of their employment, the State (for senior colleges) or City (for community colleges) will represent and indemnify, including representing them at deposition or trial when they are required to testify under oath. CUNY is aware of no evidence of wrongdoing on the part of any current presidents.

Cal. No

DISPOSITION

Pursuant to its broad authority to “govern and administer all educational units of the city university,” NYS Education Law §6204.1, the Board has the power to authorize reimbursement to the presidents for their reasonable expenses incurred to retain personal counsel of their choice for these interviews and any follow-up by the IG. The Board hereby approves reimbursement of up to \$25,000 each for such expenses, and if expenses exceed \$25,000, the individual may return to the Board for further consideration. Requests must be submitted to the General Counsel and include appropriate documentation that the services were performed.

If a court finds that a president has engaged in wrongdoing with respect to the actions that are the subject of the IG’s examination, the University will seek the return of the reimbursement.

Moved by Chairperson William C. Thompson, Jr. and seconded by Trustee Fernando Ferrer the reconvened public session was adjourned at 6:22 P.M.